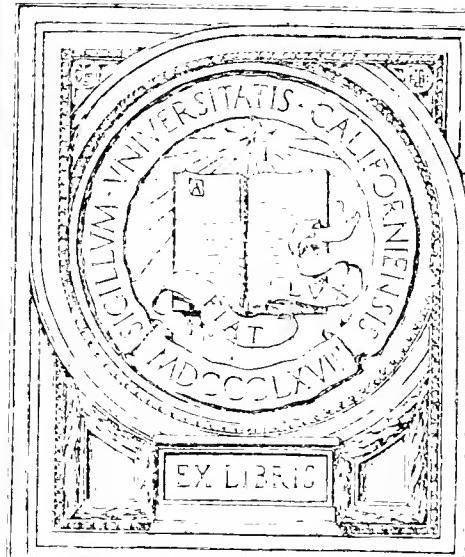
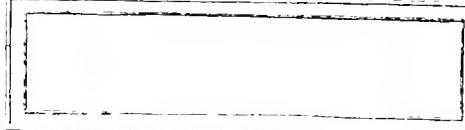


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**CANADA**

**AND ITS PROVINCES**

**IN TWENTY-TWO VOLUMES**

**AND INDEX**

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**VOLUME II**

**NEW FRANCE**

**1534-1760**

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**PART II**



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X

FRANCOIS DE Laval de Montmorency  
*After the painting in Laval University, Quebec*

A HISTORY OF THE CANADIAN  
PEOPLE AND THEIR INSTITUTIONS  
BY ONE HUNDRED ASSOCIATES

GENERAL EDITORS: ADAM SHORTT  
AND ARTHUR G. DOUGHTY

VOLUME II



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THE COLONY IN ITS  
POLITICAL RELATIONS



## THE COLONY IN ITS POLITICAL RELATIONS

### I

#### CHAMPLAIN'S POLITICAL CHARTER

THE necessity for a system of government in Canada first arose when Champlain established a permanent settlement at Quebec in 1608. But the form and general principles of the government which Champlain was to administer at Quebec had been fully determined sixty-eight years earlier. The first official grant of the colony had been made in 1540, to Jean François de la Roque, Sieur de Roberval. The commission then given to Roberval by Francis I, and afterwards bestowed on the Marquis de la Roche by Henry III, had been handed down with little or no change and was the charter of the colony and the source of Champlain's authority. Let us examine its leading features.

The commission is dated January 15, 1540. Roberval is appointed lieutenant-general and captain of the expedition to take possession of the countries of Canada, Hochelaga, and the land of Saguenay, in which it is declared to be the intention of the king to plant colonies composed of people of both sexes, including soldiers and those versed in the liberal and mechanical arts. In these territories the king is minded to build towns and forts, as also temples and churches for the introduction of the Catholic faith and of Christian teaching; to introduce laws and officers of justice, that the inhabitants may live according to reason, in good order, and in the fear of God. To Roberval are given ample powers, as representative of the king, for the administration of the expedition and of the territories to be acquired, and for the enforcement of law,

civil and criminal, alike on sea and on land. He is empowered also to appoint the necessary subordinate officers of administration and justice, as may be necessary for the establishment of the king's power in the country. He is given authority to make laws, edicts, statutes, and ordinances for the government of the country, and has the right of punishment and of pardon, extending to the limit of life and death. He is authorized also to grant, under the usual feudal tenure of France, the lands of the countries to be acquired, to such persons as he judges to be of loyal attachment to the king and of excellent virtue and industry. These estates may be granted with an exemption of the usual dues for the first six years, the exemption not to include, however, military service for the defence of the country and the extension of the king's power. A monopoly of the country and its trade is given to Roberval and those associated with him. All others are forbidden to visit the country or trade there.

It is evident from the terms of this commission that nothing was wanting in it for the complete government and administration of the colony. It practically transferred to Canada, in such measure as might be needed, the whole political system of France.

On February 16, 1540, Roberval took the oath of office as lieutenant-general of the new dominions.<sup>1</sup> In 1598 his sovereignty over the territory passed to the Marquis de la Roche, who had already made several abortive attempts to plant a colony in the New World, by virtue of a commission dated January 12 of that year, granted to him by Henry IV and containing precisely the same powers, privileges and monopolies as that given to Roberval. The territory, however, now included, in addition to Canada, Hochelaga and the Saguenay region, the further territories of Newfoundland, Labrador and Norumbega, or Nova Scotia.

The expeditions of La Roche failed. In 1599 a monopoly was obtained by Pierre Chauvin, Sieur de Tontuit, of Honfleur, and Pont-Gravé of St Malo. Profiting by the experience of their predecessors, they turned their attention more to

<sup>1</sup> For an account of Roberval's winter in Canada and of other expeditions prior to Champlain, see 'The Beginnings of Canada' in this section.

trade than to colonization, although they had obtained their powers by promising to take out colonists.

Chauvin's patent having been voided by his death, the trading privileges were handed over to Aymar de Chastes, governor of Dieppe. De Chastes formed a company and sent out two ships to exploit the trade of the St Lawrence. Samuel Champlain accompanied this expedition and thus visited the St Lawrence for the first time in the summer of 1603.

De Chastes died in the same year, and the Sieur de Monts proposed to the king to undertake the colonization of Acadia. The king directed that he should be given the same powers and privileges as had been given to Roberval and his successors. De Monts' commission was dated November 8, 1603. It was under the authority of this commission that Quebec was established by Champlain, whom de Monts had appointed as his lieutenant with full powers. The system of government and law, established alike at Port Royal in Acadia and at Quebec in Canada, was, therefore, that originally provided for in the commission to Roberval.

The trading monopoly that had been granted to de Monts with his commission as lieutenant-general had been repealed in 1607, but it was afterwards renewed until 1609. The trade of the St Lawrence was then thrown open to all Frenchmen without imposing upon the traders any obligations to contribute to the support of the colony. Seeing that the colony must either be undertaken and supported by the crown or by the colonists themselves, all of whom at this time were engaged in the fish and fur trades, Champlain wished to associate all the leading traders in a company for the joint purpose of building up a strong self-supporting colony, combining the resources of agriculture, the fishing industry and domestic and foreign trade. The free traders from old France, however, had practically no interest in the establishment of a strong colony, which must of necessity build up important local interests and develop a vigorous local government. They were interested almost entirely in the fish and fur trades, both of which could be carried on from France. Moreover, a local administration, while expensive

to maintain, was looked upon as likely to interfere with commercial activities, especially with respect to the fur trade. To colonize the country, to clear and settle the lands and to change the life of the Indian, either by civilizing him and making a farmer or an artisan of him, or converting him into a dissolute tramp on the highway to destruction, meant the impairment and ultimate destruction of that trade. The fur-traders from France, therefore, could hardly be expected to become enthusiasts on the subject of colonization.

It was, however, to the interest of the French court, in order to maintain its claims to the territory as against its European rivals, to have permanent establishments in Canada to undertake its exploration and settlement with a view to its permanent possession and defence. This enabled Champlain and his supporters in 1612 to gain the favour of the court in support of their plans for the establishment of a colonization company, with a monopoly of the Canadian trade. To guard against the lamentable ignorance, fickleness and lack of consideration with which the royal authority was too frequently exercised, it was deemed advisable to place the new venture under the patronage of a noble with the required influence at court.<sup>1</sup> Such a protector was found in the person of the Comte de Soissons, a scion of the house of Bourbon. Upon him were conferred the rights and powers of the Roberval charter, and these, with the approval of the king, he delegated to Champlain as his lieutenant. De Soissons died shortly afterwards, but his place was taken by Henri de Bourbon, Prince de Condé.

During the operation of Champlain's company from 1613 to 1620 colonization was Champlain's great purpose, but his desire to found a colony for the extension of Christianity<sup>2</sup> and the glory of France did not appeal strongly to his trading associates. The salvation of souls through the conversion of the heathen, and the glory of the French king were to them of less importance than their own commercial success. So, while the trade of the St Lawrence was being diligently

<sup>1</sup> De Monts had, in the meantime, resigned his commission.

<sup>2</sup> In 1615 Champlain brought out with him from France four Récollet fathers to propagate the faith in Canada.

prosecuted, the colonization features were for the most part put off till a more convenient season. Colonization, in fact, was not favoured by the associates of the company since it was liable to develop conditions which might prove troublesome to them. The political difficulties of their patron, Condé, who was in prison in France, and the intrigues of their commercial rivals, who ungenerously referred to the non-fulfilment of their promises, disturbed the peace of the company. Their monopoly was in danger, and it required all the enthusiastic representations of Champlain as to the future possibilities of his colony, and all the political influence of his commercial associates, to preserve it. Condé, on regaining his liberty in 1619, sold out his trading privileges; and his lieutenant-general's commission, the political charter, was transferred to the Duc de Montmorency, admiral of France.

It being determined that the company could not go on indefinitely monopolizing the benefits of the St Lawrence trade, while contributing no more to the development of New France than did the free traders, their monopoly was cancelled in 1620. The trade had proven of great value, and there was immediately a sharp competition for the Canadian privileges. The successful competitors were two Huguenot merchants of Rouen, Guillaume and Emery de Caen, who formed a new company to operate the monopoly. The charter still belonged to Montmorency, under whose commission this new company wished to operate. The Caens, though Protestants, undertook to co-operate with the Catholics for the conversion of the heathen, philosophically concluding, doubtless, that it would not embarrass them to fulfil their religious obligations quite as well as their predecessors had done.

The old company, not being without its supporters in official quarters, contested the rights of the new company, and the matter was not definitely settled before 1622, when the more active spirits of both companies united under a monopoly extending until 1635. Meantime the government of the colony of New France did not involve any very complex problems. The commission of the lieutenant-general more than met all the needs. So far as there was any difficulty, it

was not as to the law and the authority for it, but as to enforcing the law among the employees of the company, of whom the small colony on the St. Lawrence was chiefly composed.<sup>1</sup>

In 1625<sup>2</sup> the Canadian commission once more changed hands, passing from the Duc de Montmorency to the Duc de Ventadour. But, beyond some restrictions being placed on the heretical religious performances of the Huguenots, little change was made in the constitution of the colony.

Though Champlain was making renewed efforts to better the position of his colony at Quebec and to attract settlers, the new company proved as little favourable to colonization as the old one and for the same reasons. A colony meant increased expense to the company and threatened the profits of its monopoly. Moreover, if the colony became sufficiently populous and self-supporting, it must inevitably pass out of the control and the employment of the company. Already the experiences of other nations, especially of the Dutch and the English, indicated that established and progressive colonies chafed under monopoly privileges and outside dictation.

## II

## THE CHARTER OF THE ASSOCIATES

IN 1624, Richelieu, having attained a dominant influence in the Royal Council, soon developed for the first time a definite colonial policy in connection with a still wider scheme for the placing of France in the proud position of the first power in Europe. His policy, however, being one of an international character had little relation to the domestic needs of the French people, whether at home or in the colonies. At the same time, in unifying France on this basis, he did much to strengthen its position as a central power.<sup>3</sup>

<sup>1</sup> At this time there were about fifty persons at Quebec, forty of whom were in the service of the company.

<sup>2</sup> In this year the Jesuits, on the invitation of the Récollets, came to Canada.

<sup>3</sup> The soundness of Richelieu's policy, which was in part borrowed from the French economist, Montchrétien, when taken up by much more practical hands

CARDINAL RICHELIEU

*From the painting in the Louvre, Paris*







The instrument for the realization in Canada of the colonial aspect of Richelieu's world-policy was the new Company of One Hundred Associates, officially known as the Company of New France. With his eyes fixed upon his great designs for the future, Richelieu did not make a study of the conditions of the present or of the immediate past. He disposed at one stroke of the de Caen company and its monopoly, which had certainly proved unsatisfactory from the point of view of establishing a vigorous colony in New France. Instead, however, of analysing the causes of its failure, with a view to avoiding similar difficulties in the future, he immediately replaced it by another company with practically the same powers, obligations, and privileges ; granting it the same kind of monopoly, with the same facilities to neglect its religious, social and political obligations, and to follow its own self-interest in exploiting the trade monopoly. The only new feature in Richelieu's company was the great national scheme of which it was to be an important factor, and the consequent active court patronage and high social auspices under which it was organized and its membership recruited.

The act for the establishment of the Company of One Hundred Associates revoked all previous commissions and concessions and established the colony of New France upon an enlarged basis. The new charter was dated April 29, 1627. It directly connected the powers, privileges, and obligations of the company with the commissions granted to Roberval and his successors, by stating that Louis XIII

than his, was manifested in the long reign of Louis XIV. During this time France certainly attained to the international ideal set before her by Richelieu, but it was at the expense of her domestic prosperity. Louis XIV dominated Europe, but he exhausted France, and his extreme absolutism may be deemed one of the indirect causes of the destructive Revolution, which swept away the powers which had realized his ideal. The colonial policy of France, as manifested chiefly in Canada, was simply a phase of the larger purpose for the realization of national glory by making France the chief world-power. To this end, well developed colonies, contributing directly to the resources of the home government, were deemed essential. In this policy, however, the domestic welfare of the colonists was a very secondary matter. It is necessary to keep these conditions in view, as this will explain much which otherwise might appear strangely inconsistent in the alternate lavishing of care upon the smallest details in colonial administration and the disregard of essential needs.

had the same desire as Henry IV to continue the exploration of New France, with a view to establishing a colony there for the conversion of the heathen. Cardinal Richelieu is declared to have charge of these designs, under the imposing title of Grand Master, Chief and Superintendent General of the Navigation and Commerce of France. This high dignitary is convinced that the one way to bring the natives to a knowledge of God is by peopling the country with Frenchmen, in order that, by their living example of a godly life, the heathen may be attracted to Christianity and civilization. At the same time, by establishing the royal authority in the country, new discoveries will be made to the advantage alike of France and the colony.

The previous holders of the colonial charter are severely criticized for failing to accomplish these results. They have shown so little zeal in the colonization of the country and the conversion of the heathen that there is as yet only one settlement in Canada, and in that only forty or fifty Frenchmen, who are nearly all traders with little or no interest in the king's purposes. Those enjoying a monopoly of the colonial trade had not taken to Canada more than eighteen men in the past fifteen years. They have even discouraged those who wished to go on their own account. In fact, things have come to such a pass that it is necessary to revoke the privileges of de Caen and his associates and transfer them to a strong company, which, under amended regulations, will assuredly carry out the purposes of the king.

Six men were appointed as a commission to form this company and to frame the necessary regulations. They accordingly formed the Company of One Hundred Associates, which undertook to people New France, according to the conditions which were laid down. On these terms, Cardinal Richelieu, with the king's approval, granted to the company numerous privileges. The chief of these, as connected with the colonial policy and political constitution of the colony, were as follows :

The company undertakes to people the colony at the rate of from two hundred to three hundred persons per annum and assist colonists in making a start. Every colonist must be a French

Catholic; all others are to be rigorously excluded. There must be three ecclesiastics at least in each settlement, for the conversion of the heathen and the services of the French. These ecclesiastics must either be maintained at the expense of the company for the first fifteen years, or be furnished with sufficient cleared land to provide for their support. After the first fifteen years the ecclesiastics were, apparently, to be supported by their own exertions, or the voluntary contributions of the colonists, for as yet no provision was made for the payment of tithes. To compensate the company for its expenses in connection with the peopling of the colony and the maintenance and protection of it, the king grants to the members of the company and their heirs, in full property, local control and seigniory, the fort and town of Quebec and the whole of New France, called Canada, from Florida to the Arctic Circle, and from Newfoundland on the east to the great fresh-water sea on the west, including all the lands in the watershed of the St Lawrence and its tributaries, and of the other rivers of Canada which flow into the sea, as well as any other lands over which the company may extend the French authority.<sup>1</sup> The king reserved only faith and homage for himself and his successors, and required provision for courts of justice. The company is to fortify the country for its preservation and the protection of commerce. The

<sup>1</sup> It is worthy of note that this comprehensive charter covered much the same ground, and is in many places expressed in practically the same terms, as the commission to Roberval. Hence, while feudalism was no doubt more definitely extended in Canada under the Company of One Hundred Associates, yet the system was undoubtedly provided for in the Canadian constitution from 1540, the date of Roberval's commission, and during the intervening period wanted only the occasion for its actual introduction. That occasion first arose when Louis Hébert went out as the first regular settler in Canada and received, in 1623, the seigniory of Sault au Matelot. In the following year another seigniory was granted to William de Caen. The Jesuits who came to Canada in 1625 with the object of establishing a seminary obtained the first of their seigniories in that of Notre Dame des Anges on the St Charles River, just beyond Quebec. These seigniories, granted before the establishment of the Company of One Hundred Associates, indicate that, from the time of Roberval on, ample powers were provided not only for the government of the colony and the establishment of law, but for the introduction of every feature of the feudal system, as occasion required. It is true that the grants above referred to were reissued after the colony passed to the company, but this was due to the fact that all previous grants were revoked with its establishment.

company may grant lands under whatever conditions seem fitting, and along with them confer titles of honour and nobility, on condition that marquises, counts and barons must also receive letters of confirmation from the king. A monopoly of trade is granted to the company for fifteen years.<sup>1</sup> The king undertook to provide the company with two war vessels of from two hundred to three hundred tons each, fully equipped, on condition that the company should fulfil its obligations as to bringing out immigrants within the time specified. All persons of whatever rank, civil, military or religious, were permitted to take shares in the company without any derogation from their nobility or position. It is ordained that all descendants of the French in Canada, and all the savages who shall accept the faith, shall be acknowledged as native Frenchmen, and shall have liberty to return to France and enjoy all the privileges of natural-born Frenchmen.

The exceptional circumstances attending the formation of the company, the assistance and favour of the king and the minister and many of the nobility, made the departure of the first expedition under the auspices of the One Hundred Associates, in 1628, a very notable event. The fleet was composed of some twenty vessels, freighted with an enthusiastic band of settlers, and lavishly supplied with needful stores and even luxuries. Unfortunately for the success of this first venture on the part of the new company, there happened to be at the time temporary hostilities between the French and English courts, Charles I having sent a fleet to the aid of the Huguenots of La Rochelle who were in arms against Louis XIII, and French vessels were the unlucky prey of English seamen. David Kirke, an English captain, falling in with this French fleet, managed to capture nineteen of the twenty vessels. This disaster not only discouraged the new colonial enthusiasm in France, but left Quebec destitute of supplies, so that in the following year it fell into the hands of the English.

Had Richelieu been less confident as to the ultimate

<sup>1</sup> For the economic features of this charter see 'The Colony in its Economic Relations' in this section.

success of his foreign and colonial policies, it is quite possible that no further serious attempt would have been made in the direction of Canada. According to Le Clercq, the general opinion in France at the time did not favour the continuance of the colonial policy, which, apart from the fur trade and the fisheries, had not proved very successful. But Richelieu still had unbounded faith in his schemes for the achievement of national glory, and Champlain, whose mind and heart were deeply set on the Quebec colony, pressed earnestly for its restoration. At the close of the short war, it was arranged under the Treaty of St Germain-en-Laye (1632) that Canada should be restored to France. Now, however, the Associates, owing to the unfortunate fate of the company's first expedition followed by four years of inaction, had lost their enthusiasm. They handed over their religious obligations towards the colony to the Jesuits, giving them liberal grants of land.

Champlain still retained his interest in the colony which he had established, and, in 1633, he returned to Canada as governor, bringing with him about one hundred colonists in three vessels. His death in 1635 arrested his plans and brought to a close a noble career. His ideas for the establishment and maintenance of a vigorous self-dependent colony were enlightened and practical ; those of his contemporaries, unfortunately, were not, and the circumstances and conditions of the time were against him. He died without having found it possible to realize his ideals.

After Champlain's death, the colony remained for a time without any very definite policy. Occasional additions were made to the permanent population, the most important settlement being that established at Beauport by Giffard, who was the first to receive a seigniory under the new company. In this grant, which was dated 1634, it is provided that appeals from the court to be set up at Beauport should only be to the court of supreme jurisdiction in the colony, although it was not yet organized. In the grant of the fief Dautré in 1637, the first mention is made of the Custom of Paris, which, it is said, will regulate the feudal dues to be paid. Similarly in the grants of land made shortly afterwards

in the Island of Montreal, the feudal conditions are to be determined in accordance with the Custom of Paris, which the company intend shall be followed and observed throughout the whole of New France. The chief of these grants was that to the Gentlemen Associated for the Conversion of the Savages, commonly known as the Company of Notre Dame de Montreal, 1640, embracing the north-eastern portion of the Island of Montreal, with the adjoining mainland on the north shore, two leagues in front and six in depth. Henceforth, owing to the enterprise and enthusiasm of the famous Paul de Chomedy, Sieur de Maisonneuve, this western advance guard of the colony of New France went forward under auspices partly religious and partly military. It bore the brunt of the attacks from the Iroquois, who at this time began a series of harassing raids upon the western French settlements.

Richelieu, whose policy for the glorification of France had plunged Europe into the Thirty Years' War, was too much occupied at home to follow up his colonial policy. The Company of New France, on its side, had lost heart in the colonial aspect of the enterprise. The religious orders alone, and especially the Jesuits, maintained a lively interest in the colony, and in the evangelization of the Indian tribes, whose conversion was the mainspring of their enthusiasm and activities. It was chiefly for this purpose that they received so much assistance from France.

Finding the colony steadily neglected by the company, except for its trading interests, which the local merchants naturally envied, the inhabitants began to protest vigorously to the home government, and in their movement they seem to have had the sympathy of the governor, de Montmagny. Finally, in 1645, the Company of New France undertook to transfer its trade monopoly to the colonists, as represented by a corporation of the leading inhabitants of the colony, chiefly merchants. It reserved, however, the trade of Acadia and Cape Breton. The company also retained its ownership of the colony with all its feudal rights and privileges, as also its constitutional rights, including that of nominating the governor, the judges, and other important

officers. In return for the trade monopoly conceded to them, the people of New France undertook to relieve the company of all its financial obligations towards the colony. These obligations included the support of the governor and the other officials, military and civil, provision for the ecclesiastics and religious orders, as also the undertaking to bring out from France so many immigrants each year. Partly to compensate for its alleged losses in establishing the colony, the company was to receive 1000 pounds of beaver annually.

The local corporation of colonists, who undertook to administer the trade and assume the financial obligations on behalf of the colony as a whole, was known as the *Compagnie des Habitans*. It was this company which first adopted as an open principle the use of brandy in trading with the Indians, and thus precipitated the first conflict between the religious and civil powers in the colony.

### III

#### THE COUNCIL OF QUEBEC

SINCE the representatives of the colony were manifesting so much interest and enterprise in its affairs, it was natural that they should endeavour to obtain some voice, if only an advisory one, in the government of the colony. We find, therefore, that immediately following the transfer of the trade monopoly from the Company of One Hundred Associates to the local corporation, an agitation began for the establishment of a council at Quebec to assist the governor in the administration of the country.

It has been commonly assumed that the introduction of a regular administration by a governor and council dates from 1663, when the charter of One Hundred Associates was finally withdrawn and the Sovereign Council was provided for by royal edict. As a matter of fact, however, this system of government was introduced in 1647, amended in 1648, and, as we shall see, was simply remodelled and enlarged in 1663.

The inhabitants complained strongly of certain abuses connected with the administration of the country which was apparently too autocratic and unmindful of the welfare of the general body of the inhabitants. The French court referred the whole matter to a special commission, before which were laid the representations of the inhabitants, the claims of the Company of One Hundred Associates, and the views of the chief officers of the country, together with the recent articles of agreement between the old company and the colonists. As a result of the report and the recommendation of this commission, the king ordained, March 27, 1647, that there should be established in Canada a council to be composed of the governor, the superior of the Jesuits, until there should be a regular bishop appointed, and the commandant, or local governor of Montreal. The deputies of the governor at Quebec or Montreal might act for him in his absence. This council was to meet at Quebec and was to appoint a permanent secretary to take charge of its papers and registers and of all other public documents of record. The council was to appoint, on the recommendation of the commander of the fleet, the captains and other officers of the vessels belonging to the colony and conducting the trade with France. The council would supervise the detailed administration of the colony and see that the duties of all special officers were properly performed, without the corrupt use of their powers for their own private benefit. The commander of the fleet and the syndics, or representatives of the people of Quebec, Three Rivers and Montreal, might appear before the council to represent the interests committed to them, but they should not have a voice in the council itself. The syndics referred to were to be elected by the people of these towns annually by ballot, but should not continue in office for more than three years in succession. All the responsible officers of the colony should render to the council an annual report of their duties, accompanied by all the accounts and vouchers, which should be deposited with the secretary, and copies sent to the colonial commissioners in France. The secretary should also transmit to the home government, for the information of the king, a concise account of the affairs of the colony, including certain

specified items of information. Henceforth no official of the colony should hold office for more than three years without being reappointed by the council and taking the oath of office before the council.

The expenses of the colonial establishment, including the allowances for the support of the governor and minor officers and for the garrisons at the chief posts, as also the annual grant to the Jesuits, should be paid out of the profits made on the fur trade. The profits consisted of the difference between the fixed price paid at the official stores of the colony at Quebec and the price realized by the agent of the colony on disposing of the furs in France. The amounts to be paid on each of the above accounts were specified. It was also provided that of the provisions or supplies for the officials, the garrisons, and the Jesuits, so many tons should be brought out from France free of freight charges in the vessels belonging to the colony. No vessels other than those belonging to the colony were permitted to visit the St Lawrence or trade there.

This important edict of the royal council, establishing the council at Quebec and defining its general powers and obligations, was proclaimed in Canada in the spring of 1647. It did not, however, altogether satisfy the leading colonists. They seem to have objected particularly to the composition of the council, which made no provision for representatives of the colonists themselves. They also objected to the extent of the financial burden imposed upon the colony. A petition was prepared on behalf of the people of the colony, and was signed by the Sieurs d'Ailleboust and des Chastelets for the others. The former represented the district of Montreal and succeeded Montmagny as governor in 1648. This petition declared that the colony was being depopulated and the trade of the country destroyed, partly for want of proper administration, and partly because of the debts which had been contracted, owing to the excessive expenses of government. It was also complained that several of the conditions laid down in the charter of the Company of One Hundred Associates had not been carried out, neither had the new edict of last year been properly enforced. Chief of all the

colonial troubles, however, had been the incursions of the Iroquois, who were pillaging the country by land and water.

Taking into due consideration the petition of the colonists, the king in council amended the act of the previous year in several important particulars. Henceforth, the term of office for the governor and chief officials should be three years, though in some cases they could be reappointed. The composition of the council was altered. It was now to consist of the governor, the head of the Jesuits, pending the appointment of a regular bishop, the former governor, if in the country, and two citizens of the colony, to be selected by the other members of the council, thus constituting a council of five members. Should the former governor not be available, three, instead of two, citizens of the colony should be selected. Three out of the five councillors were to constitute a quorum. Provision was made for filling vacancies in the council, according to precedence. Thus, for instance, when the commandants or lieutenant-governors of Montreal or of Three Rivers are in Quebec, they should have precedence over other substitutes. Three prominent citizens were named as suitable members of the council, the Sieurs Chauvigny, Godefroy, and Giffard. The arrangements for the defence of the country were considerably altered and the expenses of the garrisons greatly reduced. Besides the small standing garrisons, there was to be established a flying squadron of forty trained soldiers to move from place to place in the colony in order to protect the settlers from the invasion of the Indians. Apparently, quite unconsciously as to its future effects, direct encouragement was given to the people to become *coureurs de bois*, or rangers of the forest. It was provided that such settlers as were accustomed to the country might, if they chose, go in the spring of the year to the regions inhabited by the Hurons, under the leadership of a captain appointed by the council. They should act as escorts for the missionaries on going to the Indian countries, as also for the Indians themselves who wished to come down to the French posts to trade their furs. These rangers should have the liberty of undertaking such trade as they pleased with the Indians, on

condition that they turn over their furs to the official colonial store at the prices fixed by the council. Provision was made for encouraging the settlers to clear and cultivate more of the soil and to prevent many of the indolent from becoming a burden upon the resources of the community, as appears to have been the case with too many at the time. Ample authority was given to the council to pass ordinances and to have its orders obeyed, in spite of the pretended power of any other organization or court. Apart from the amendments made by this second act, the provisions made in the act of 1647 were to be faithfully carried out.

It is rather noteworthy that in these early days of the colony, the colonists themselves both claimed and were conceded much more freedom and influence in determining the character of the colonial government than at any later time. Thus, the first syndics of Quebec and Montreal exhibited much influence both in local affairs and in their representations before the council.

Up to the time at which this important departure—the establishment of a council—was made, the commission of the governor furnished an ample, yet autocratic, system of government for the colony and its inhabitants. When the council was established, however, the governor had only one voice in it, though doubtless at first the chief one.

That the establishment of the council at Quebec in 1647-48 did not immediately result in introducing important changes in the colonial administration was undoubtedly due to the fact that the colony was at the time passing through a very critical period, owing to the increasing attacks of the Iroquois. These invasions virtually paralysed the progress of the colony. After 1650 the arrival of new colonists practically ceased, and a little later a decree was issued prohibiting the people from leaving New France. In 1653, however, Maisonneuve, who had been devoted to Montreal from its beginning in 1642, brought out 105 religious warriors to strengthen the advance guard against the Indians. But few others followed this example, and, despairing of the future growth of the colony by voluntary immigration, it was seriously proposed by the authorities in France to make of it a penal settlement.

## IV

A DIPLOMATIC NEGOTIATION BETWEEN NEW  
FRANCE AND NEW ENGLAND

DURING the period of the administration of the old council of Quebec, a most important and interesting incident took place. In 1647 the authorities of Massachusetts had written to the authorities of New France concerning the opening of trade intercourse between the two colonies and the adoption of a kind of commercial union between them. The Quebec magistrates had deemed the proposition acceptable, especially if it could be supplemented by a military convention under which French and English would unite their forces to stop the bloody raids of the Iroquois and subdue for ever these fierce savages. Letters were exchanged on that subject, but the question remained in abeyance until 1650. In that year, new communications having been received from the English, who seemed truly in earnest, d'Ailleboust, governor of New France, decided to send Father Druillettes, a Jesuit missionary to the Abnakis, as ambassador to the authorities of the English colonies. Druillettes left Quebec on September 1, 1650, accompanied by an Indian chief, Noël Negabamat, captain of the Algonquins of Sillery. Following the Chaudière and Kennebec Rivers, they reached first Koussinoc (or Taconnock) in the colony of Plymouth, and arrived at Boston on December 8, 1650. The Jesuit ambassador was well received, notwithstanding his ecclesiastical character. Very severe penal laws were in force in the colony against all Jesuits or Catholic priests trespassing over its territory. It had been enacted that

No Jesuit or spiritual or ecclesiastical person ordained by the authority of the Pope or See of Rome shall henceforth, at any time, repair to, or come within this jurisdiction; and if any person shall give just cause or suspicion that he is one of such society or order, he shall be brought before one of the magistrates; and if he cannot free himself of such suspicion, he shall be com-

mitted or bound over to the next Court of assistants, to be tried or proceeded with by banishment or otherwise, as the Court shall see cause ; and if any person so banished shall be taken the second time within this jurisdiction, he shall upon lawful trial and conviction be put to death.

But Father Druillettes being invested with the character of an ambassador, that law could not be made applicable to his person. On the contrary he was received with all due honour. He was the guest of Major-General Gibbons. After having had an interview with Governor Dudley, of Massachusetts, he met the council of that colony on December 13. He was then informed that the question of union for trade and war with New France could be dealt with only by the council of commissioners of the United Colonies.

In 1643 the four colonies of Massachusetts, Plymouth, Connecticut (Kenetigouc), and New Haven (Kouinopeia), had formed a confederation under the name of the United Colonies of New England. They were bound together by a covenant under whose articles none of the four states could decide or take action in a matter of war without the assent and conclusion of the general council of commissioners, composed of eight members, two for each colony.

The next move of the French ambassador was to repair to Plymouth, where he met Bradford, the governor of that colony, who received him courteously, and led him to hope that his mission would be fruitful. He also wrote to John Winthrop, governor of Connecticut, trying to win him over to the acceptance of the contemplated treaty.

As a result of his interviews Father Druillettes felt confident that his negotiation ultimately would be crowned with success. He had been deeply impressed with the strength of the four colonies, who numbered, he wrote, 40,000 souls, and could raise for a war 4000 soldiers in Massachusetts alone. Of course these numbers were overrated ; but it may safely be stated that the population of New England then was ten times more numerous than that of New France.

In the relation of his errand, the Jesuit envoy declared that in his opinion the colonies of Boston, Plymouth and

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Connecticut would be willing to unite with the French against the Iroquois, and that New Haven would not be hostile to the idea. After having left New England, he spent the winter with his Abnakis, and in the following spring he came to Quebec, where he made his report to the governor and council. The French authorities decided immediately to send him back with a member of the council, in order to lay before the commissioners of the four colonies a formal proposal, first for a treaty of commercial reciprocity, and secondly for a military alliance against the Five Nations. Councillor Godefroy was selected, and they left on June 22, 1651, entrusted with ample powers from the governor and council.

In their letter to the Commissioners of New England, the councillors of Quebec made the following statement :

Some years ago the gentlemen of Boston having made to us a proposal for a commercial union between New France and New England, the Council established by His Majesty in this country answered, together with our Governor, that we were most willing to open that trade intercourse, backed with a union of hearts and minds between our colonies and yours, but that, in the meantime, we were desirous of entering into an offensive and defensive alliance with you against the Iroquois, our enemies, who would make all trade impossible, or at all events, make it less profitable to you and ourselves.

The last lines of that interesting document were as follows : 'We cannot doubt that God shall bless our arms and yours, employed as they would be in the defence of christianized Indians, our allies and yours, and against barbarous heathen, who have no God, no faith, and follow no rules of justice, as you shall further be informed by our ambassadors, who will express to you our sincere wishes for the blessing and the favour of God over your provinces.' The reader of American history is somewhat astonished at this official expression of such friendly feelings towards New England, coming from the council of New France. *Tempora mutantur nos et mutamur in illis!*

When Father Druillettes and his colleague reached Boston

they could see at once that former dispositions had changed. The views of the two parties were not at all the same. New England was intent on trade, New France was intent on war. New England was not willing to accept war in order to get trade. New France would consent to give trade for the sole purpose of getting war. These divergent incentives could not be reconciled. The answer of the commissioners of the four colonies was negative. Thus two hundred and sixty years before the Taft-Fielding Convention, a treaty of reciprocity failed between Canada and its neighbours to the south.

What a possible change in the history of North America, if that attempt at treaty making had been successful ! The destiny of half a continent might have been altered. The ferocious Iroquois would have been quelled by the coalition of the two countries. The French colony would have grown unchecked, developing in peace her resources, and would not have lost half a century in bloody strife with the Five Nations. The English colonies would not have been a prey to the tomahawk, sword and torch of the Indian allies and partisans of the French. Instead of drenching with their purest blood the plains and forests of the New World, New France and New England would have lived in harmony, each one asserting freely her character and genius. Eighty years of disastrous wars would have been spared to America.

## V

## THE GREAT BISHOP

**A**N event of the greatest importance to the affairs of the colony, both civil and ecclesiastical, was the arrival in 1659 of François de Laval de Montmorency, Bishop of Petraea in Arabia *in partibus infidelium*. He was appointed at first Vicar Apostolic of New France, and was to receive the title of Bishop of Quebec fifteen years later. Designated for the position by the Jesuits, he was at all times very friendly to that order. A man of remarkable personality and strength of character, and filling positions

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of power in both church and state, he naturally exercised an immense influence on the civil and religious institutions of Canada. His trouble with successive governors and councils arose first of all from the question of the *eau-de-vie*, or brandy, traffic with the Indians, but finally included several other matters.

The political power of the bishop was naturally very great. One of the first manifestations of it was the recall of Governor d'Avaugour. The centre of the difficulty was the brandy traffic. This was a very difficult question to settle. The evils of employing brandy in the trade with the Indians were early recognized, and the traffic had been discouraged though never suppressed. When the trade monopoly passed from the Company of One Hundred Associates to the people of the colony, the most influential persons in the colony were immediately interested in securing furs from the Indians on the most advantageous terms. Undoubtedly, the most effective and profitable article of trade with the Indians was brandy, hence the use of it was openly sanctioned. But not only were the individual merchants interested in this matter, but the colonial finances, as we have seen, involving the support of the civil and military establishments, depended upon the profits of the fur trade, and therefore upon the question of the brandy traffic. When Bishop Laval came to the country, he threw himself heart and soul into the struggle being made by the Jesuits to suppress the traffic,<sup>1</sup> which, in its effects upon the Indians, was most disastrous to their missionary enterprise, and put in jeopardy the lives of the missionaries themselves. The governor, d'Avaugour, was disposed to side with the merchants, and a conflict was precipitated which in the end was not confined to the central question at issue.

Bishop Laval, having made himself familiar with the conditions of the colony and having realized what were its chief needs, from his point of view, and laid his plans accordingly, returned to France and by the force of his personality

<sup>1</sup> See 'New France: A General Survey' and 'The Colony in its Economic Relations,' in this section, for a fuller statement of the arguments put forth by the bishop against the liquor traffic.

and the influence which he was able to command there accomplished practically all of his important purposes.

He had convinced himself that his title of vicar-apostolic was too precarious and not sufficient to ensure the complete usefulness of his mission. His views were favourably considered by the king, who wrote to the pope, in 1664, asking for the erection of Quebec as the seat of a diocese, and for the nomination of Laval as first bishop. The negotiations between Rome and the French court were delayed by many incidents. It had been proposed to place the Bishop of Quebec under the jurisdiction of the Archbishop of Rouen. But the pope insisted on retaining his direct jurisdiction over the new diocese. At last Louis XIV assented to that scheme and the bill of erection was signed on October 1, 1674. The event was a great one for the Canadian Church and a notable achievement for Laval.

He was equally successful in his plan for the founding of his seminary. An establishment of that kind was necessary for the recruiting and training of the clergy. But Laval entertained special views on that question. In his mind the seminary and the clergy should form one single body. Every secular priest employed for mission or parish work should be a member of that community. All the tithes and ecclesiastical dues should be made payable to them. In a word he wanted to form 'his clergy into a family with himself at its head. His seminary, the mother who had reared them, was further charged to maintain them, nurse them in sickness, and support them in old age. Under her maternal roof the tired priest found repose among his brethren; and thither every year he repaired from the charge of his flock in the wilderness, to freshen his devotion and animate his zeal by a season of meditation and prayer.' The bishop was happily able to secure the approbation of the court for the new foundation on the lines which he proposed.

The Seminary of Quebec was organized by Bishop Laval while in Paris, the instrument establishing it being dated March 26, 1663. It received the formal approbation of the king in April of the same year. In this document, approving

of the establishment and organization of the seminary, the king sanctioned the appointment of Laval as Bishop of Quebec, whenever it should please His Holiness the Pope to establish the diocese of Quebec and make the appointment. For the endowment of the seminary and the extension of its work throughout Canada, the king ordained that the sole produce of the tithes, whether levied on the produce of labour or of nature, should be handed over without any limitations to the seminary, which was also authorized to receive all manner of gifts, donations, or legacies, whether directly or by testament.

An edict for the establishment of the Sovereign Council of Quebec was issued in April 1663. It made no mention of the setting up of the council in 1647-48, but gave much the same arguments for its existence as in the previous documents. The feudal rights of the Company of One Hundred Associates were withdrawn and the colony was taken over by the crown. The council was to administer the general law as it was in France. It was to register and enforce decrees issued by the king and sent out for the government of the colony. It was to pass and enforce such necessary local ordinances as the immediate needs of the colony should require, and administer the executive government of the colony. While the council should have its normal seat at Quebec, it might assemble, if necessary, at any other place in the colony.

The council was to consist of the governor and the bishop, or chief ecclesiastic in the colony, and of five others selected by them jointly and holding their offices at the pleasure of these two. The previous provision that the ex-governor, if in the country, should be a member of the council, and the conditional provision for the lieutenant-governors of Three Rivers and Montreal were dropped, though these parties might still be appointed among the five general members provided for.

De Mézy, the new governor, and Bishop Laval himself are named in the edict as the two first members of the council. In addition to the provision for a secretary, or registrar, as in the former act, there is a new office created under the

title of procurer, or crown attorney. The council was to constitute a final court of appeal for all cases, civil or criminal, and the general law administered should be that of the custom of Paris. As formerly, however, the king reserves to himself the right to change the law by repeal, re-enactment, or amendment in such manner as he sees fit. A new power is that of appointing such local officers of justice in Quebec, Montreal, Three Rivers and elsewhere as may be necessary. These magistrates shall have power to render judgment in the first instance, as between individuals, the object being to enable the people to obtain speedy, simple and direct application of the law.

The five councillors appointed by the governor and the bishop may act as a kind of standing sub-committee of the council to supervise the execution of the orders of the council, hear complaints, and receive the recommendations of the syndics. The councillors were not to hold any other offices, or receive any commissions from the people.

The civil and judicial authority was therefore divided equally between the governor and the bishop, while the ecclesiastical authority was in the hands of the bishop alone. That the bishop used his immense power in a manner not above the criticism of certain minds, it is true, but on the whole moderately, was another proof of his lofty character and great qualities.

Immediately on their arrival in Canada in 1663, Laval and de Mézy devoted themselves to the task of organizing the work of the Sovereign Council. They registered in the council the various edicts which provided for the restoration of the colony to the crown, for the new civil and ecclesiastical systems of government, and the establishment of the seminary.

The council appointed Maisonneuve as acting lieutenant-governor of the Island of Montreal and provided for the appointment of a judge, a crown attorney and a registrar for that district. A little later, Pierre Boucher was appointed lieutenant-governor of Three Rivers.

A survey of the activities of the council within the first year after its reconstruction shows that it dealt with a large

variety of affairs. It fixed prices, regulated trade, administered the local police and provided for minor municipal officials and regulations. Evidently it had a high sense of its dignity, exacting due reverence from the people who appeared before it. Within two months after its establishment, one man was fined fifty livres, and another sent to prison for irreverence and impertinence towards the council. Owing to the volume of business to be dealt with, it was found necessary to devote certain days to smaller private affairs and others to general questions of police and finance. Enjoying co-ordinate powers, it was perhaps but natural that the governor and the bishop should not always agree as to general policy and particular measures. The first evidence of friction between them occurred in the early part of 1664 and developed into an open rupture over the dismissal of the crown attorney and the appointment of his successor.

As an indication of the discretionary power exhibited by the council in the matter of royal decrees sent from France to be registered and enforced in Canada, we find that a decree, declaring that all grants of lands not cleared within six months should be revoked, was modified by the council, which decided that it should be enforced only against those who were not resident on the lands, but simply held them for speculative purposes.

At the close of its first year some changes were made in the personnel of the council, followed by proceedings against some of the retiring members requiring them to render a detailed account of their expenditures. A little later, at the instance of the attorney-general, an order was issued prohibiting the officers of justice and of the revenue from taking remuneration from the people, beyond the fees prescribed.

It is not necessary to deal with the details of the disputes between the bishop and the governor who had been nominated by him for office. As we have seen, a preponderance of power in the colony had been granted to the bishop. A man of so much ability as Laval would naturally employ the power at his disposal to further his far-reaching plans.

## VI

## IMMIGRATION

IMMIGRATION to New France was being revived and encouraged. The essential features of the immigration policy of the time and how it was regarded by the more enlightened persons in the colony are worth noting. Two dispatches from the Sovereign Council in 1664, one to the king and the other to Colbert, throw some light on this subject. The council expresses its pleasure at the special interest shown by the king in the peopling of the country. It considers the merchant vessels to be the best means of bringing out the colonists.<sup>1</sup> The members of the council deprecated the policy of furnishing the immigrants with provisions and placing them directly upon the wild lands, with which they were quite unaccustomed to deal. In such cases, many were certain to starve. All new immigrants should be distributed among the older settlers, where their labour, wisely directed, would be employed to advantage from the first, and where they would receive the best possible training to enable them to take up land for themselves. The council points out that of some three hundred emigrants who had left France in 1663, many had died, and that a large number of them were clerks, scholars, and other city folk, quite unsuited for life in the wilds of Canada. They were indeed in great distress until taken in charge by the council and distributed among the older settlers. It were much better, in the opinion of the council, to send out only people from the country, since there are as yet in Canada very few openings for the town-bred man. It appears from these documents that thirty-five livres each had been advanced by the government towards the passage money of certain immigrants arriving that year, and that this sum was to be repaid from their wages. In three years the immigrant

<sup>1</sup> A previous record of the council shows that of one hundred colonists sent from France, presumably in government ships, thirty-three had died on the voyage or after landing, while many of the remainder were detained in the hospitals after their arrival.

was considered generally to be an expert workman and worth twice as much as on his arrival.

The council had already passed an ordinance to the effect that all labourers coming to the colony from France should serve for three years the habitants to whom they had been directed, after which time they should be free to remain in the colony or to return to France. Criminals and all immigrants who were diseased or unable to work were to be sent back to France immediately. Thus early in its history do we find Canada adopting the policy of deporting undesirable immigrants.

The immigrants arriving at Quebec were distributed in the districts of Quebec, Montreal and Three Rivers, each being apprenticed to a master for a period of three years. It appears, however, that even in those days the atmosphere of a new country had the effect of developing a spirit of independence; thus we find complaints coming in to the council that those who are assigned for three years' service were becoming very restless and insolent towards their patrons or masters, even intimidating them to grant their discharge. The council, however, true to its paternal instinct, prohibited the emancipation of the immigrant and enacted penalties for any one harbouring or assisting fugitive apprentices. These laws did not, of course, prevent desertion from employers, but merely made it necessary that the deserters should take to the woods and become members of the rising bands of *courreurs de bois*, who were soon to become one of the most serious problems of the colony.

During succeeding years, colonization progressed slowly in New France. It was not easy to induce Frenchmen of the right quality to go to Canada. The minister was anxious to people New France, and we find him giving instructions that immigrants should be encouraged by every means possible to remain in the colony. He did not wish to use force in detaining them, for that would probably give the colony a bad name and defeat his object.

The home government responded generously to the requests of the colonial authorities for wives for the settlers.

Many groups of girls were sent out. As a rule, they quickly found husbands. The authorities do not seem to have been very fastidious on the score of beauty. It appears that some of the young men were a little slow in responding to the paternal benevolence of the authorities. Thereupon the ever ready machinery of an ordinance was invoked, giving the bashful swains the ungallant alternative of getting married within a week or two or being liable to various penalties. These mandatory incentives to domestic felicity produced the desired effect. When it was obligatory to take a wife if one were to be had, the young men doubtless felt that if it must be done, 'then 'twere well it were done quickly.' The early suitor, moreover, had the greater variety for selection.

## VII

## THE MINISTER'S ERROR

IN 1661 Jean Baptiste Colbert, probably the greatest of French ministers, had attained to a dominant position in the council of the king. Colbert had plans for the development of French resources at home and abroad which he now proceeded to put in execution. In respect to Canada, however, he repeated the mistake of Richelieu by once more placing the country under the control of a great commercial monopoly—the West India Company<sup>1</sup>—to which a charter was granted in 1664. Colbert thought that this new company, because of its wealth and power, would accomplish what every other company had failed to do, namely, build up a strong colony in Canada and provide the means for its administration, in return for the feudal control of the country and a monopoly of its trade. The company, having power over all the French colonies in America, was required as a primary obligation to promote the glory of God and of the French king. Its charter stipulated that the company should take out priests and ecclesiastics and build and support churches. In framing the charter Colbert evidently had in

<sup>1</sup> For a fuller account of this company see 'The Colony in its Economic Relations' in this section.

mind certain trading companies of other European states, particularly of Holland. But these companies were trading corporations only, and not colonization companies with religious, social and political duties. The needs and objects of colonists might or might not coincide with the interests of those companies, and where they did not, the companies were not expected to sacrifice their interests to those of the colonists.

The West India Company was not only granted the most complete proprietary and feudal rights over Canada, but also over any future extensions of the colony through discovery or war. Notwithstanding the provisions already made for the composition of the Sovereign Council, the company was given the right to nominate the governor and members of the council, subject, of course, to the sanction of the king. It might even dismiss members of the council and have others appointed in their places. It was given the right to appoint judges and magistrates, and had jurisdiction in all matters of police and commerce. Its trade monopoly was granted for forty years, but its feudal rights were unlimited. In actual practice many of its powers were never exercised, but the colonial policy which the charter expressed showed how completely the able and enlightened minister failed to realize the requirements of a colony of Frenchmen beyond the seas.

The expenditures of the company in the colony did much to revive trade, and together with the government outlay, incident to the sending of regular troops to the country, contributed largely to the restoration of confidence, the promotion of immigration, the cultivation of the lands, and the establishment of industries. Nevertheless, the fate of the company was sealed. It completely failed within ten years after its establishment.

Early in the career of the West India Company Colbert realized his error in granting it such extensive powers over Canada. The medium through which he was enlightened as to the folly of his course was the occupant of the new position of intendant, Jean Talon.

## VIII

## THE INTENDANT

**I**N the edict establishing the Sovereign Council in 1663, there is no mention of the office of intendant. But it was soon found, perhaps as the result of the friction between the governor and the bishop, that it would be advisable to extend this office to Canada.<sup>1</sup> The office had gradually developed in France, and covered the spheres of justice, police and finance.

The first regular intendant in Canada was Jean Talon, who arrived in 1665, at a very opportune time for the beneficial exercise of his powers. The freedom and range of his administrative functions, combining both legislative and executive powers, minimized as far as possible the friction arising from the inevitable clashing of the various authorities in the colony.<sup>2</sup> Talon could not, of course, wholly prevent such difficulties, but the authority of the intendant certainly tended to lessen them, and gave to the colonial administration more efficiency and flexibility.

The powers and duties of the intendant in Canada are quite fully set forth in Talon's commission, dated March 23, 1665.<sup>3</sup> The intendant was given supervision of the whole administration of justice. He was to act as chief justice in all civil matters, and as a final court of appeal. In the absence of the governor, he was to preside in the Sovereign Council. As administrator of the colonial finances, he was to supervise the equipment of the forces and the furnishing of military stores. The governor, the members of the council, and all other officials in the colony were required to recognize

<sup>1</sup> The creation of the office of intendant in Canada resulted in a new division of the power which the edict establishing the council had placed exclusively in the hands of the governor and the bishop. Owing to the nature of the administrative duties of the office, it touched at every point the most constant and practical interests of the colonists.

<sup>2</sup> At this time the West India Company was striving to control the Sovereign Council, and to exercise its arbitrary powers.

<sup>3</sup> For the economic features of this commission see 'The Colony in its Economic Relations' in this section.

the authority of the intendant and to obey his commands within the sphere of his office. It will be seen that, at one stroke, a great deal of the power formerly vested in the governor and bishop was by this commission transferred to the intendant.

The Sovereign Council, to which the intendant was now added, was enlarged from time to time until it included seventeen members, the governor, the bishop, the intendant, twelve councillors, of whom one was clerk, an attorney-general, and a registrar. In their deliberations, the members of the council sat around a table, the governor at the head, with the bishop on his right and the intendant on his left. A regular session of the council was held every Monday and at such other times as business might require. In 1665 the right to sit *ex officio* in the council was given to Le Barrois, the agent of the West India Company. The chief courts were held at the palace of the intendant.

On June 30, 1665,<sup>1</sup> the Marquis de Tracy arrived at Quebec. Two years before, he had been appointed lieutenant-general of all the French dominions in America. He brought with him to Canada the first detachment of regular troops seen in the colony—the famous Carignan-Salières regiment.<sup>2</sup> The purpose of these troops was to drive back the Iroquois and relieve the colony from the Indian scourge of the past decade. This they triumphantly accomplished, thereby securing to the colony a period of peace and opportunity for internal development.<sup>3</sup> The colony was thus enabled to realize what was the most hopeful and inspiring period in its history—the golden age of New France—under the administration of Talon, the great intendant, and the governor, Daniel de Rémy, Sieur de Courcelle (1665-72), and, later, under that of Louis de Buade, Comte de Frontenac.

<sup>1</sup> In the same year de Courcelle succeeded de Mézy as governor of the colony.

<sup>2</sup> Many of the officers and soldiers of the Carignan regiment caught the new colonial spirit and remained to become citizens, taking up lands in various capacities, high and low, along the Richelieu River, and eventually forming one of the most stable and prosperous sections of the country.

<sup>3</sup> See 'The Colony in its Economic Relations' in this section.

## IX

## FRONTENAC, 1672-82

THE great governor, Frontenac, arrived in 1672. His restless activity was a source of strength and vitality to the colony, but it led him into difficulties with the other colonial authorities and with the home government. One of his weaknesses was intolerance of opposition to his own supreme authority ; another was his love of pomp and display. As already narrated,<sup>1</sup> very soon after assuming office he sought to enhance his dignity by introducing into Canada a moribund institution of France known as the 'States-General.' This was discountenanced by both Laval and Talon. The intendant absented himself from the ceremony and shortly afterwards departed for France. When the proceedings were reported to the home government the minister very decidedly threw cold water on Frontenac's attempt to glorify the king through himself.

Owing to the industrial policy and activities that Talon had initiated, the progress of the colony was now very marked and was the occasion of no little apprehension in the adjoining British colonies. It was therefore natural that Frontenac should feel the importance of his position. It is not to be forgotten that he was governor and lieutenant-general of all the dominions of France in North America. The local governors of Acadia and Newfoundland were required to report to him and were subject to his orders.

In 1675 Duchesneau succeeded Talon as intendant. The West India Company having been dissolved and their charter revoked by the king in the preceding year, it was necessary to provide for a continuance of the political powers that had been vested in the company. Accordingly a declaration of the king in June 1675 set forth once more the composition of the Sovereign Council and its powers and obligations. The council was henceforth to consist of the governor, who is also lieutenant-general of the colony ; the Bishop of Quebec, or, in his absence, the grand vicar ; the intendant ; seven other

<sup>1</sup> See 'New France : A General Survey' in this section.

councillors, whose names are given ; the attorney-general and the registrar. The intendant Duchesneau, though holding the third place in official rank, was appointed president of the council, occupying much the same position as the president of the courts in France. Otherwise the terms of the edict of 1663 establishing the council were to remain unchanged and in full force. But it was no longer to be known as the Sovereign Council, the king directing that the name Superior Council be substituted.

Louis XIV now took personal control of the affairs of New France. He required that henceforth Frontenac should write directly to him. He was required to render to the king a detailed account of everything passing in Canada, whether relating to war, justice, police or the growth of the colony, and he was to receive his instructions directly from the king.

During Frontenac's first administration (1672-82) difficulties with the English colonies began to foreshadow serious continental and, hence, international problems. Though France and England were at peace, and the English court decidedly under French influence, yet it was evident that many intercolonial difficulties would arise to threaten the existence of one or other of the colonial powers of North America. Owing to the complete dependence of the French colony on the fur trade, its troublesome relations with the Iroquois, and the impossibility of communicating with France during the winter months, it was perhaps natural that the colonial authorities in France should recognize the prospect of difficulties in America earlier and more accurately than did the corresponding English officials. With their appreciation of the situation, there can be no question as to the far-sighted wisdom of the French governors, d'Avaugour and Frontenac, and the intendant, Talon, in urging upon the French court the supreme importance of securing, by negotiation or otherwise, Lake Champlain and the Hudson River region, including the towns of Orange (Albany) and Manhattan (New York). With France in possession of this region, there would be secured to Canada a regular winter port at Manhattan, while, by controlling the only southern route from the









lakes to the sea, France would command the trade of the Iroquois country, and obtain an undisputed ascendancy over those warlike tribes. In fact, it would at one stroke deliver the Canadian colonies from their most dangerous rival, and, by commanding the whole of the country to the rear of the New England settlements, prevent them from extending their power westward, to the certain injury and jeopardy of French possessions and settlements in the north. They had pointed out, also, that *then* was the time to act, while the English colonies were still undeveloped and while the French king had such an ascendancy over the English court. The French king, however, had serious problems nearer at hand and was not disposed to prepare so far in advance for possible difficulties in North America. These could be dealt with more conveniently and just as advantageously at a later period. But before the French court was prepared to take up the matter, the opportunity had passed away. The English court, instead of being the passive ally of France, had become the leader of her enemies, and the most powerful of her rivals. If, however, the French court were not able to secure for France the country to the south of the St Lawrence and the lakes, the next best plan, according to Frontenac, would be to carry out the suggestion of de Courcelle, made after his famous trip up the St Lawrence rapids to Lake Ontario, to build a fort at the outlet of that lake, which would at once furnish to the western Indians a visible emblem of French power and authority and prevent the diversion of their trade to the English settlements to the south. This design Frontenac carried out on his trip to Lake Ontario, where, in 1673, he built Fort Frontenac at the mouth of Cataraqui River. He favoured the petition of La Salle for the grant of the fort on condition that he should maintain it as an outpost of the French power for the control of the Indians, by alliance if possible, but by force if necessary. The proposal was reluctantly acted upon by the home government and La Salle received a grant of the post in 1675.

In 1679 Duchesneau, the intendant, through the Marquis de Seignelay, who had succeeded Colbert, his father, as

minister, sent to the king a report on the English colonies to the south, in which he stated that these colonies constituted no real menace to the French possessions, as they were devoted to industry, trade, and the arts of peace, and were quite unwarlike. The French, on the other hand, if they cared to attack them, could probably capture, if not the whole, yet a large section of the English colonies. Had Duchesneau had as much insight as Talon and Frontenac, he would have recognized that this very feature of the industrial development of the English colonies would constitute the most effective menace to the French settlements, and would ultimately determine the outcome of the colonial rivalry between the two European powers. Duchesneau recognized, of course, one great advantage which the superior industry and trading qualities of the English gave them over the French, namely, in attracting the fur trade of the Indians to Albany. To remove this difficulty, he favoured the idea of the French government purchasing the colony of New York from the Duke of York. This would enable the French to control the whole of the Indian country and its trade. His only objection to this plan of settling the outstanding disputes arose from his fear that the more restless element among the French settlers would be tempted to leave Canada and take up their abode in New York.

A prolonged and acrimonious dispute arose between the governor and the intendant as to their relative powers in the council. The home government, in appointing the intendant president of the council, in 1675, did not specify how far his authority should extend. Was he merely to be the presiding officer, or had he any authority to regulate the affairs of the council, and if so, how far did it extend? The governor still held his precedence in the council followed by the bishop, while the intendant, though president, was only third in order of precedence. Obviously there were all the elements for a dispute of the first order, and none of the opportunities were lost on either side. Both parties were censured by the king for their excessive contentions and for infringing on the authority of the other, and, in 1682, both were recalled.

## X

## LA BARRE AND DENONVILLE, 1682-89

THE new governor, Lefèvre de la Barre, and the new intendant, Jacques de Meulles, were informed that they were sent out in order to restore peace and harmony within the colony. La Barre, though a careful administrator, proved to be a very weak governor, and handled the Indian situation, which was then at a critical stage, in a most undiplomatic manner. He undertook a military expedition to Lake Ontario in 1684 with the object of over-awing the Iroquois, yet he managed to give the Indians the very opposite impression. He virtually abandoned to the Iroquois the western Indian allies of the French, weakly accepting the terms proposed by them and hastily retreating to Montreal. The Iroquois naturally regarded him with contempt, and prepared to follow up so easy an enemy. La Barre was recalled, and the Marquis de Denonville succeeded him in 1685. Denonville was a man of firmness and military qualities, but unfortunately a few serious mistakes marred his administration.

The spreading of the small French population over so large an area was an important factor in the ultimate undoing of French power in America. Extension to the west was never the policy of the French court. The danger of premature expansion was the subject of many dispatches from the French kings and their ministers. The Canadian governors and intendants, however, found their hands forced in many ways by conditions in the colony itself. The fur trade—the mainstay of colonial commerce and finance—drew the colonists from the clearing and cultivation of the land. Increasing numbers made their way into the wilderness. Indian missionaries and explorers pushed ever farther into the unknown. To protect these interests trading posts and forts were established. In the end France found herself in possession of an enormous territory, the maintenance of which dissipated the strength of the colony, but the relinquishing of which the pride and glory of France

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prohibited. ‘All or nothing’ seems to have been the motto of those who were responsible for the extension of French power. In the fullness of time they managed to secure both. Frontenac, though instructed to the contrary, was a believer in the principle of expansion, and in the interests of this policy he had established the fort which bore his name. His successor, La Barre, was instructed to restrict the western exploration to the permits granted to La Salle and to direct the people to the cultivation of the soil in the eastern portions of the colony. The French king had a poor opinion even of La Salle’s discoveries in the Mississippi Valley. He considered them of no value in themselves, and as likely to draw many Frenchmen away from the work of settlement in Canada. La Barre quite agreed with the view of the king. He reported that La Salle had virtually abandoned Fort Frontenac, and, with a number of wastrels, had gone off to establish a kingdom of his own in the West. La Barre found that the upper end of the Island of Montreal was used as a recruiting ground for such men as accompanied La Salle. He gave a very unfavourable account of their manner of life, and suggested that a provost-marshall should be established there with power to give summary judgments without appeal. This colony of vagabonds was a sort of connecting link between the *coureurs de bois* of the West and the settlements of the East. There were among them many youths of good family and of excellent capacities, but who were too proud to engage in the somewhat prosaic labours of the farms. This led to complaints from the authorities that the Canadian noblesse, to whom there were few other openings, refused to descend to manual labour. The free and unrestricted life of the *coureurs de bois*, however disastrous to their morals, was more to their liking. In consequence of the reports of the governors, the king issued a decree in 1685, taking away from the Canadian noblesse the excuse that they were prevented by their rank from engaging in physical labour or minor trades. The king also promised to be more careful in future in granting titles of nobility to colonists.

It is believed by many philanthropists that idleness, vice

and pauperism are evils incidental only to congested populations and would disappear with freedom of opportunity and access to natural resources. The history of both English and French settlements in America, however, shows that these evils have accompanied every stage of colonial development. The records of New France are filled with attempts, on the one hand, to deal with idleness and vagrancy, and, on the other, with the straits to which the settlements were reduced for lack of servants and workmen in the towns.

Taking a few examples : an ordinance was passed in 1677 attempting to deal with the evil of sturdy beggars who would not work, but who solicited alms on the public highways. This proving difficult to enforce, the evil increased until 1683, when a further ordinance was passed, forbidding begging on the highways or the giving of alms to such beggars. Many of such people, it said, lived in idleness and brought up their families on this basis, with the natural result that these and many other disorders were increased. Five years later, the evil being still unabated, the council ordained the establishment of offices for the investigation of poverty (*bureaux des pauvres*) in Quebec, Three Rivers and Montreal. The object of these offices was to investigate cases of alleged poverty, to deal with deserving cases, and to furnish work for those capable of doing it. In the country districts each parish was required to look after its own poor, that they might have no excuse for wandering over the country.

Though earlier in the history of the colony provision had been made for deporting undesirable immigrants, yet in 1687 the king, it appears, no longer approved of it. The governor, Denonville, having sent back to France a couple of incorrigible women of bad character, the king declared that he should have retained them in the colony and reduced them to a more virtuous condition by employing them at manual labour, such as drawing water, serving masons, or sawing wood.

After the departure of Frontenac the Iroquois once more became troublesome. They attacked the Indian allies of the French and threatened to come down upon the colony itself. The strength of the Iroquois lay in their ability to

obtain supplies from the English with whom they traded. Troops and stores were urgently requested from France to meet the threatened invasion. In 1683 the king wrote in a reassuring manner, saying that he had made everything all right in America through his influence with the English court. In fact, Colonel Dongan, a good Catholic, had been appointed governor of New York, and had received express orders from the English king to respect the French rights in America. Dongan's religious faith was undoubtedly of the right order, but his nationality was more doubtful. Being an Irishman, and a very vigorous Irishman, he put his own interpretation on his instructions from London, and it was very decidedly in the interests of the colony over which he presided. The joy with which his arrival as governor was greeted in Canada was soon turned to mourning, and urgent petitions were sent to the French king to secure his speedy recall. Louis XIV again wrote to his minister at London, Barrilon, to persuade the Duke of York, afterwards James II, who at the time held a proprietary right to the colony of New York, to instruct his governor, Dongan, not to furnish assistance to the Iroquois, but, on the contrary, to join with the French in exterminating them.

Dongan, however, disappointed the expectations of the French court. He claimed for England all the land to the south of the St Lawrence and the Great Lakes, including the Iroquois territory. This involved the further claim that the Iroquois were subject to the English king and under his direction. Moreover, the governor of New York warned all the French settlers between the Kennebec and the St Croix to leave the country at once or become English citizens. The English, too, were very aggressive in the direction of Hudson Bay, where they had of late seized a number of Frenchmen with their furs and carried them off to London. The French laid claim to all these territories on the ground of their being the first discoverers, though in many cases they had done nothing towards the development of the territory. On being informed of the pretensions of the English, Louis XIV still relied upon his influence with the English court, and had no doubt but that his ambassador in London would secure

the disavowal of the conduct and the claims of the governor of New York.

When the governor, Denonville, surveyed the situation after his arrival in Canada, he, too, reached the conclusion that there was but one safe solution of the western Indian problem, and that was for the French king to purchase the colony of New York from the English. He considered that this should be comparatively easy since the English king, owing to his troubles at home, would undoubtedly stand in need of the money of the French court.

In the meantime a project was already on foot for the framing of a treaty of neutrality between the French and the English dominions in America. The idea of the treaty originated with Stapleton, governor of the British West Indies, who proposed it to the Comte de Belnac, governor of the French West Indies. The proposition was favourably regarded by the French king and recommended to his minister in London, who brought it to the attention of the English court and secured its adoption. The treaty was finally concluded at London on November 16, 1686. It provided for the continuance of peace on land and sea between the French and English dominions in America. The officials of either power were not to aid, in men or provisions, any savages who were at war with the other. There should not be any trading or fishing by the subjects of one power within the jurisdiction of the other. No pirates were to be permitted to find shelter in the harbours of either. Even if war should arise between the two crowns in Europe, there should be no war between the colonies in America.

This treaty, when adopted, met with strong opposition on the part of the English colonies, since they claimed that it was very one-sided in its practical operation. But the treaty was scarcely proclaimed when James II, who was so compliant to the wishes of Louis XIV, was driven from his throne. His successor, William III, was the leader of the French king's enemies. All thought of peace between French and English in any part of the world now vanished.

In 1687 the Iroquois peril had assumed an alarming aspect. Acting on what he thought to be the wishes of the

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king, Denonville had induced a number of the Iroquois chiefs to meet him at Cataraqui. The chiefs were seized and sent to serve in the French galleys. This act of treachery did more than even the weak conduct of La Barre to precipitate a bitter and prolonged war with the Iroquois, in which the scattered French settlements suffered all manner of outrages. To make matters worse,<sup>1</sup> Dongan, the governor of New York, sent a bellicose letter to Denonville, demanding that the French should relinquish their claims to the territory, restore what they had taken from the Indians, and send back all prisoners. On these conditions he undertook to live peaceably with the French—being himself a devout Catholic—and to see that the Indians of the Five Nations should not molest them.

The chief hope of the French now lay in the influence of the *courreurs de bois* with the Indians and the loyalty of these outlaws to the French cause, especially under such leaders as Tonti, La Durantaye and Dulhut. If only the French king could arrange to obtain the colony of New York<sup>2</sup> all their western troubles would be at an end.

At the outbreak of King William's war the chief points of dispute between France and England in North America were : first, the ownership and suzerainty of the Iroquois country ; second, the ownership of the Hudson Bay territory ; third, the right to the southern portion of Acadia as far south as the Kennebec River which is now part of the State of Maine. The Hudson Bay question was finally settled by the Treaty of Utrecht in 1713, but, in spite of all treaties, the others remained the centres of dispute and of successive wars until the overthrow of the French power.

<sup>1</sup> In 1688 the French court persuaded James II to recall Dongan, who proved so objectionable to the French interests. Andros, another Catholic, was sent in his place, but with instructions to live on good terms with the French. Before long, however, Andros was reported by Denonville to be, if possible, worse to deal with than Dongan.

<sup>2</sup> De Callières, the governor of Montreal, suggested that the king might exchange some of the French West Indies for New York. The minister reported, however, that it was not possible to make the proposed exchange at the time. Whatever opportunities there may have been at one time were doomed never to occur again. Later, when the hope of bargaining was past, de Callières advocated an immediate attack on New York.

The note of hopefulness and confidence which for twenty-five years had pervaded New France disappears with the beginning of the war in 1689. The domestic development of the colony fell into the background. From this time forward the burden of every dispatch relates to an existing or impending struggle with the English colony.

## XI

## FRONTENAC, 1689-98

**I**N 1689 Denonville was recalled and in October of that year Frontenac returned as governor of New France for the second time.

Frontenac was instructed that it was the intention of the king to attack New York by sea and land ; the movement by land to be conducted by the governor from Canada. The first point of attack on the north would be Albany. After taking that town and seizing the vessels which were there, he would pass down the Hudson to co-operate with the naval forces in reducing the town of New York. It being fully expected that the colony would thus pass into the hands of the French, the English and Dutch farms with their live stock and agricultural equipment were to be distributed among the French Canadians, who would go down to take possession. The taxes they were to pay the king on these lands and many other matters of detail connected with the conversion of the colony from an English to a French one were specified with much minuteness in the instructions to the governor.

But before the Canadian expeditions could be prepared and equipped, the savage attacks of the incensed Iroquois both above and below Montreal more than occupied the military resources of the colony. At Montreal, Frontenac found affairs in the utmost confusion and the people in a panic, owing to the wholesale manner in which the Iroquois were taking revenge for the conduct of Denonville. The settlers were being massacred at every outlying point, and the Iroquois were greatly encouraged by the general con-

sternation resulting from their attacks. Frontenac, who understood both the Canadians and the Indians, did much, by his strong personal qualities and the confidence which he inspired, to restore order, and soon placed the colony in a fairly efficient state of defence, notwithstanding that aid from France, which was so urgently requested, had been refused. The king informed him that he must simply do the best he could with the resources at hand. By skilful defence and the taking of an aggressive attitude, wherever possible, Frontenac first checked the attacks of the Indians, and, after 1696, succeeded in putting them on the defensive. The governor well knew that an Indian, flushed with success and with his enemies in a condition of panic and defence, is a really formidable enemy ; but the Indian on the defensive is soon discouraged and is already marked for defeat.

Meanwhile the English, knowing that Canada was being vigorously attacked by the Iroquois from the west, chose this opportunity for an attack upon the eastern settlements by sea. In 1690 a naval expedition under Phips sailed from Boston with the object of capturing Quebec. Frontenac, however, had put his chief town in an excellent state of defence and employed his troops and artillery, recently received from France, to the best possible advantage. The English, who had expected an easy victory over a nearly defenceless town, were astonished at the preparation made for their reception. Phips, however, sent Frontenac a summons to surrender within an hour ; the veteran governor disdained to make a reply in writing, stating that he would answer it out of the cannon's mouth. In the engagements which followed after the landing of the English at Beauport, Frontenac made good his lofty tone, and the English retired. The preparations which they had made for an attack upon Montreal, by way of Lake Champlain, proved equally unfortunate. An outbreak of smallpox which extended to their allies, the Indians, completely discouraged them and caused the abandonment of the attack.

One result of the English defeat was to give them a new idea of the strength of the French position on the continent.

They now realized that, though numerically much stronger than the French, their settlements were being hemmed in on every side by the territories lately annexed to New France. The English colonies were just then awakening to the consciousness of their future possibilities, and they saw in the extension of the French power to the north and the west a barrier to their own future expansion. Under leadership such as that of Frontenac, the French power might in time surround them with a hostile force, which, if not threatening their existence, would at least be a constant menace to their peace and safety. The defeat, therefore, of their plans against Canada, coupled with the change of relations between the courts of France and England, concentrated the attention of the English colonies upon Canada and soon produced the steady conviction that nothing short of the complete removal of the Canadian menace would satisfy them. The determination of the English colonies to free themselves from the French peril, associated as it was with the constant and more or less serious attacks of the eastern Indian allies of the French, notably the Abnakis, naturally affected the outlook of New France.

To maintain so vast a frontier and to be prepared to meet the attacks of the English was quite beyond the normal strength of the French resources in Canada. To provide for the normal needs of their own internal development was the utmost that could be expected of the Canadian colonists for many years to come. When, therefore, the people of Canada were called upon to sustain and defend thousands of miles of frontier, from the Atlantic to the Mississippi, it was quite obvious that they could not also adequately develop any part of the colony. And, if they could not develop the colony, it would not be possible, nor indeed worth while, to continue to defend it.

Canada was gradually becoming the victim of circumstances. The pride of France would not permit her to relinquish voluntarily the great dominion that her enterprising explorers and missionaries had thrust upon her. But the very attempt proved it impossible to garrison so vast a wilderness. Far-sighted French colonial officials saw

quite clearly what must be the end, under the accepted international principles of the age, but they were powerless to avert their fate. They could only patiently do their best under the conditions of the time, and hope that, by some fortunate stroke, France might overcome all her enemies, and be free to come to the aid of New France in a sufficiently generous manner to ensure not only its safety but its adequate development.

Apprehending further attacks from the English, the governor, in 1693, requested reinforcements from France. In the following year the king sent him about 500 men, all that could be spared at the time. Profiting by the experience of the English attack under Phips, the governor and the intendant, Champigny, undertook to spend a further sum of 4000 livres on the fortifications of Quebec. When the accounts were laid before the king, he was highly displeased at this expenditure, and warned them that if such an outlay were repeated the amount would be deducted from their salaries. Nevertheless Frontenac and Champigny continued to urge the necessity for further defence, and particularly for the reconstruction and fortification of Fort Frontenac.<sup>1</sup> The court reluctantly assented, and the fort was re-established in 1694 at a cost of 12,000 livres, and 700 men were sent to act as a garrison.

In 1697 the Treaty of Ryswick afforded a short breathing spell in which the French and the English might prepare for the resumption of the struggle for supremacy. The articles of peace themselves furnished ample occasion for further hostilities. It was provided that navigation and commerce between France and England should be resumed on the basis which prevailed before the war. There was to be a general restoration of forts, territories, and possessions taken during the war. Special commissioners were to be appointed to settle outstanding disputes.

In 1698 Frontenac died. He was the greatest and most picturesque of the governors of New France. During his two terms of office he had seen the colony pass through periods of the brightest hope and of the deepest gloom. His

<sup>1</sup> Fort Frontenac had been dismantled and abandoned by Denonville in 1689.

boundless confidence in himself not only sustained him in the most discouraging situations, but inspired those associated with him with new confidence, which was itself a guarantee of success. Notwithstanding the many rebukes for his excessive zeal, his general conduct was approved by the king, and his successor was ordered to follow his example.

## XII

## THE IROQUOIS

ON reading the numerous documents connected with the rival efforts of the French and the English to secure the support or at least neutrality of the Iroquois, one recognizes that these savages must have felt highly flattered. They could not but realize how completely they held the balance of power throughout the West. Had they been less shrewd or more civilized, they might well have had their heads turned and have committed many follies. On the contrary, maintaining a cynical indifference towards the flattery of the rival suitors, and fully aware of the advantages of their position, they encouraged the advances of both parties and gladly received whatever lucrative and other advantages the anxiety to gain their favour might produce. They declined, however, to commit themselves to either side, fully aware that the diplomatic strength of their position, and its capacity to produce a perennial supply of rival donations, consisted in their ability to appeal to one power against the other without destroying friendly, but not too intimate, relations with either. In social, religious and matrimonial matters they fraternized with the French, receiving their presents and exchanging complimentary speeches. At the same time they traded with the English, and enjoyed their rum, though they quite failed to appreciate the dry light of their Calvinism.

It was a vital part of the French policy towards the Indians never to admit that any of them were under British influence. The French could not compete with the English in regular trade, but they lavished presents upon the Indians,

and employed the friendly services of the missionaries and traders steadily to press upon them the advantages of an alliance with the French. The claim of the British to the territory of the Iroquois was adroitly employed to alarm these tribes as to the ultimate designs of Great Britain.

The essence of the French policy towards the Indians is shown in the negotiations preceding the Treaty of Ryswick. The French commissioners were required to press for the following conditions :

(a) To have the sovereignty of the French court over the Iroquois admitted.

(b) If that be impossible, to have the Iroquois declared neutral.

(c) If the sovereignty of the English must be admitted, to require that the English authorities shall guarantee to prevent the Iroquois from making war on the French.

The Iroquois themselves maintained that they were not under the sovereignty of any nation, but were free to deal with either as their inclination or interests determined. This gave the French authorities a new standpoint. Henceforth, whenever they found it impossible to maintain their own authority over the Indians, they took the ground that the Indians were an independent people, being owners of their own lands and masters of their own policy, that the French were neither responsible for their actions nor for any claims they might make.

Taking advantage of the alarm which was excited in the minds of the Iroquois by the formal claims which the British authorities found it necessary to set up after the Treaty of Ryswick, the French officials in Canada opened negotiations with them, inviting them to a grand council at Montreal in September 1700. There the foundations for a lasting peace were laid and the tentative agreements arrived at were ratified in a definite treaty of peace which was signed at Montreal on August 4, 1701. By this stroke of policy, the mistakes of La Barre and Denonville were finally overcome and the efforts of Frontenac and the missionaries rewarded. The French certainly obtained a new lease of power in America, and thereafter held the balance of advantage

by means of their Indian alliances throughout the interior of the continent.

By their natural temperament and personal qualities, and by their adaptability to the life of the woods, the French had many natural advantages over the English in dealing with the native tribes of America. Above all, through their religious system, which appealed to the imagination of the Indians, and the zeal of the missionaries who followed them to their homes, it was difficult, once the French had gained the favour of the Indians, to overcome their influence with them. The only advantage which the English colonists had over the French was the economic one of paying higher prices for furs and asking lower prices for goods, coupled with the circumstances which had from the first placed the French in conflict with the Iroquois tribes.

### XIII

#### HOSTILITIES, 1702-13

**D**E CALLIÈRES, who had succeeded Frontenac as governor in 1698, died in 1703. The Marquis de Vaudreuil was then appointed governor. Vaudreuil had come to Canada in 1687, and had married a Canadian wife. Their son was destined to be the last of the governors of New France. Before his appointment as governor of the colony Vaudreuil had been governor of Montreal. He proved to be a popular and successful administrator.

The treaty of peace with the Iroquois was scarcely concluded when the War of the Spanish Succession once more shattered the perpetual peace so lately established between the powers of Europe. In practically all the earlier operations in America, the French, owing to their military training and constant preparation for war, were almost uniformly successful. In the end, however, the superior resources of the English, to the accumulation of which they chiefly devoted their energies, and the rapidity with which they adjusted themselves to military conditions when necessary, enabled them to gain the ultimate advantage. The operations of this war, which closed with the Treaty of

Utrecht, illustrate a world-principle, namely, the ultimate triumph of industrialism over militarism.

In the early stages of the war the French were successful. This aroused the English colonies, supported by the mother country, to put forth their reserved strength. Acadia, at first so ably defended, was afterwards lost through the capture of Port Royal by the English in 1710. The superior resources of the English power could not be offset by military efficiency or the personal capacity of those defending the French dominions.

During this struggle the political and economic progress of Canada was virtually paralysed, but the dominant influence which the French had gained over the Indians around the Great Lakes was very evident. The Iroquois, for the most part, held firmly to their position of neutrality, and the attempt of the English with a few of the western Indians to take possession of Detroit was decisively defeated.

During the last few years, before the Treaty of Utrecht was concluded, the colony was entirely absorbed in preparations for defence against threatened attacks from the English by sea and land. The destruction of the English fleet saved Canada from invasion by sea, and the land forces, intended to supplement the efforts of the fleet, retired to Albany. As we have seen, however, the reserve power of England, owing to her ever-extending commercial resources, gave her a preponderating influence during the closing period of the war. This was fully reflected in the treaty which once more interrupted the struggle with France.

#### XIV

#### THE TREATY OF UTRECHT

BY the Treaty of Utrecht, 1713, English possession of the entire Hudson Bay territory was confirmed. Nova Scotia, or Acadia, with its ancient boundaries, as also the city of Port Royal and all the islands, lands, and places dependent on these, together with the fisheries in the seas and bays adjoining, and all the inhabitants of these regions, were ceded to Britain. The Island of Newfoundland and the

VAUDREUIL, THE ELDER

*From the painting by C. W. Hodges.*







adjacent islands were to belong, of right, wholly to Britain. The French, however, kept the right to catch fish and dry them on the coast from Cape Bonavista to Point Riche. Cape Breton and the other islands in the Gulf and the River of St Lawrence were to be retained by France. The sovereignty of Great Britain over the Iroquois, or Five Nations, was recognized and the French were not to interfere with them, or with the other Indians who were friends of Britain ; nor were the British to interfere with those Indians who were subjects and friends of France. On both sides, the subjects of France and England were to have freedom to trade with all the Indian tribes, and the Indians were to be free to trade with the colonies of either power.

The conditions of this treaty were a severe blow to French power in America. And it left unsettled many questions material to the strength, development, and even the existence of Canada. Such were the limits of Acadia, the boundary between New France and England's colonies, and between those colonies and the regions bordering on the Mississippi and its tributaries. Immediately after the treaty, therefore, we find the French minister writing to the governor, Vaudreuil, and to the intendant, Bégon, for any documents or information which they may have regarding the limits of Acadia, showing ground for restricting the territory which has been granted to the English. He is particularly anxious that they shall find evidence for restricting the territory of Acadia to the peninsula alone. As to the Hudson Bay territory, they are to interpret the treaty so as to preserve to the French the Mistassini Indians on account of their trade with Tadoussac. He desires them to send a map giving the limits which they think can be maintained.

Vaudreuil, in the following year, urged upon the home government the necessity for retaining the Indians, particularly the Iroquois and the Abnakis, on the side of the French, because if the English once win them over, the French are lost. The Abnakis in particular are terribly cruel enemies. Writing again in 1716, Vaudreuil states that if the king wishes to retain Canada he has certain suggestions to offer. The English are determined to take Canada. He has to acknow-

fedge the weakness of the colony in population, and consequently in fighting strength, but should the English once obtain the whole of North America, without any check upon them, they will rapidly develop it and make themselves extremely powerful in Europe. It is highly desirable, therefore, even from the European point of view, to keep the English in America in check. For this purpose it is necessary to increase the military strength of Canada. Five hundred men should be sent at once, and five hundred annually, who, after a certain term of service, will be placed upon the land and held as reserves. Further, it is absolutely necessary to find some excuse for keeping the Indian territory out of the hands of the English. This can be accomplished only by stirring up the Indians to maintain that the French have no right to concede their lands to the English, since they belong to themselves alone, and that they propose to hold them and to dispose of their friendship and alliance as they see fit. He then represents that the Indians should be kept in alliance with the French by liberal distributions of presents.

When all this became known the English authorities strongly remonstrated with the French. Governor Burnet, of New York, writing to Vaudreuil in 1721, reminds him that by the Treaty of Utrecht, the Iroquois are declared to be subjects of the English king, and the other western Indians are to be free to frequent the territory of either party for purposes of trade. He is surprised, therefore, to learn of the fort being established at Niagara<sup>1</sup> and of the other measures being taken to prevent intercourse between the western and northern Indians and the English colonies. To this Vaudreuil makes the evasive reply that Burnet is the first English governor to lay claim to Niagara, where La Salle had a fort. Moreover, the Indians have made no objection.

From all this it is quite obvious that, though there might be peace between the crowns in Europe, there was to be little peace between their dominions in America. The English had made up their minds that the French menace to their colonies, supported as it was by the Indians, must be dis-

<sup>1</sup> A post was set up here in 1720 by the Canadian authorities to prevent intercourse between the English and the western Indians.

posed of. On the other hand, the French in Canada had determined to resist the claims of the English to the very last. To this end it was indispensable that they should retain the alliance of the Indians at all costs. From this time on the French had no serious intention of accepting the English interpretation of the treaty, although it was naturally their object to postpone as long as possible the final rupture of peace.

The French were frankly using their post at Niagara to prevent free intercourse between the English and the Indians. The English undertook to establish a corresponding post on the southern shore of Lake Ontario at the mouth of the Oswego River. This was to be a trading depot, to which the Indians from the north and west might come without French interference. The French protested on the ground that the territory to the south of the lakes belonged to France. They also endeavoured to arouse the Iroquois to the point of prohibiting it. The Iroquois, however, knowing the advantage of British trade, favoured the project, and at the time the French could do nothing.

Trusting to the approval of the French government, the local authorities in Canada were preparing in 1725 to take strong measures with the English. They were to be formally warned against constructing the establishment at Oswego, and should they persist, forcible means were to be employed, for, as the authorities said, if the English build at Oswego and the French cannot fortify Niagara,<sup>1</sup> then the western trade is doomed, and the French control of the Indians will certainly be greatly weakened, if not entirely destroyed.

Already it was recognized that another war with the English was inevitable. The governor called for more men and stores. Longueuil, the governor of Montreal, who had much influence with the Iroquois, on returning from a trip to their territory, reported (1725) that the English had not begun the fort at Oswego and that he had hopes of getting the Iroquois to prohibit it. In this he was, for a time, remarkably

<sup>1</sup> The Iroquois objected to a regular fortification at Niagara. The French diplomatically agreed, while at the same time they established a trading-post that would answer the same purpose.

successful. By representing the English as having no other design than to rob the Indians of their country and to enslave their people, he managed to persuade the Iroquois whom he met to forbid the English establishment at Oswego, but to permit the French to build two vessels on the lakes and to construct a stone fort at Niagara. On this diplomatic mission, he had found more than one hundred canoes of Indians going to trade with the English, and a number of these were from the French territory to the north. This had convinced him that at all hazards the English must be expelled from the St Lawrence system at once, and by force. Now that he had persuaded the Indians to prohibit the English fort at Oswego, he would endeavour to induce them to assent to the establishment of a French fort there, which would shut out the English for the future. Assuredly, if diplomacy could have afforded a substitute for industrial progress, the French, and not the English, would have dominated the North American continent.

The British minister, Newcastle, wrote to Horace Walpole, then the English minister at Paris, asking him to remonstrate with the French court on the conduct of their representatives in Canada. The French court no doubt listened politely to Walpole, and may even have promised to have matters investigated, as this would enable them to gain further time; but, since the court had expressly instructed the Canadian authorities to do just what was being complained of, and to employ force if necessary in accomplishing their object, it was hardly likely that any steps would be taken to put a check upon the conduct of the colonial officials. In the spring of 1725 the intendant, Bégon, began the construction of the two vessels proposed for the control of Lake Ontario. He was able to report that, notwithstanding the claims of the English to the country occupied by the Abnakis Indians as being part of Acadia, the French had managed to obtain control of these Indians and had induced them to maintain irregular attacks upon the English settlers, some forty of whom had lately been killed. He reported, however, that the English were at last bestirring themselves and were about to send armed bands to subdue the Indians. This was after-

wards accomplished, and in taking vengeance upon these barbarous tribes they included the French resident priest, Père Rasle, who had been the central influence in keeping the Abnakis under French control and direction.

The French ministry approved of the policy adopted by the governor and the intendant, stating that the English must be prevented, by force if necessary, from making the establishment at Oswego. Action in the matter was to be determined upon by a small council of war, composed of the governor, the intendant, and the local governors of Montreal and Three Rivers. At the same time, they were urged to avoid actual war as long as possible, because it was both expensive and injurious to the beaver trade.

The Marquis de Vaudreuil died at Quebec on October 10, 1725. He was one of the most successful of the Canadian governors and he left a memory much venerated by the people. His successor was the Marquis de Beauharnois.

In the royal instructions to the new governor, it is impressed upon him that the chief points to be observed are : first, the necessity for maintaining the colony against the designs of the English, and, secondly, to prevent the French colonists from leaving their natural occupations and betaking themselves to the woods.

Later, the governor had to report to the minister that, as the Indians were disposed to favour the English and to permit them to establish a fort at Oswego, he did not consider it good policy to incur the enmity or suspicion of the Indians, hence he had not attacked the establishment at Oswego. Though policy forbade the use of force, it seemed to encourage the employment of diplomacy. Accordingly, Beauharnois wrote to Burnet, the governor of New York. Without alluding to the terms of the Treaty of Utrecht, he adverted to the earlier period when the French claimed jurisdiction over the Iroquois, and, taking the claim for granted, he sought to base a justification for their actions upon these rights. The English governor pointed out, in reply, that, whatever were the merits of the case in earlier times, yet, since 1713, the terms of the Treaty of Utrecht alone governed the situation. These and similar sparrings for time, on the part of the French

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authorities, were entirely in accordance with the repeated instructions from France that the Canadian officials were to hedge and fence concerning the chief articles of the treaty as much as possible, in order to avoid coming to an open rupture.

Gradually, however, the Indians were tiring of fighting for the French and living on fair promises. The Iroquois in their own interest did not wish to see the English gain too great an ascendancy over the French, but they would not long forgo the advantages of cheap English goods coupled with high prices for furs. Hence, in the end, they decided to permit the opening of the special establishment at Oswego. This concession being recognized as a great misfortune for the French, they proposed as an offset to establish a fort at La Galette, at the head of the St Lawrence rapids, where all boats from the lakes might tranship goods passing up and down the river. The governor and the intendant also proposed the establishment of a fort at Crown Point on Lake Champlain. This was approved by the home government and was rapidly accomplished, notwithstanding the protests of the English that they, or their allies, the Iroquois, were the owners of the territory.

There was little or no immigration from France during the whole of the period of peace. The old enthusiasm for the colonies and their development had gradually died out, and the possible greatness of their American dominions received very little attention and no practical assistance at the hands of the people at large. The colonies were simply regarded as posts of strategical advantage in the ever-widening conflicts between the European powers. The importance of Canada, apart from the fur trade, was due to the importance of the English colonies on which it was to be a drag or check. The lack of real interest in the local affairs of Canada or of its political and social future will account for the general laxity of administration which was gradually developing in the colony, and concerning which there seemed to be at once a profound ignorance and a callous indifference which afforded no encouragement to unselfish and public-spirited officials, but gave excellent opportunities for mercenary selfishness and a cynical disregard of public interest.

It was found difficult to maintain regular troops in Canada owing to the temptations to become settlers or to desert and join the *courreurs de bois*. In fact, it was only through the troops sent to Canada that any new settlers from France were received, apart from a few religious persons sent over from time to time. The governor, Beauharnois, gave it as his opinion that the Canadian troops were not as good as formerly.

The Iroquois, finding that in the rivalry between the English and French their territory was being gradually covered with hostile forts which disregarded the rights of the Indians, protested to both powers against the building of any further forts within their territory. They professed friendship for both nations and desired to live in peace with both. They also desired that trade should be free, so that they might take their furs to the best market and procure their supplies on the most favourable terms.

## XV

## BEFORE THE FINAL STRUGGLE

AT length, after a continuous controversy, but without open warfare, for thirty years, the inevitable was realized. In 1744 active hostilities were resumed. As usual, the French sought the assistance of the Indians to attack the English, particularly the advanced posts on the Ohio and towards Hudson Bay. They planned also to destroy Oswego, but found the Iroquois strongly opposed to such action and they were compelled to abandon it for a time. The capture or destruction by the English of several of the French vessels bringing stores to Canada prevented the French from carrying out their early plans of attack, which were usually so successful, owing to the constant efficiency of their military forces and the unprepared condition of the English, absorbed as they were in the development of their colonies.

The successful attack of the New Englanders on Louisbourg indicated the pitch to which they had been aroused

by the repeated attacks of the French cruisers on the English fishing fleets. Apart, however, from the capture of Louisbourg, nothing of a very decisive nature had been accomplished in America when the Peace of Aix-la-Chapelle, in 1748, arrested open hostilities and required the restoration of Louisbourg to the French. This was a severe blow to the New Englanders, who saw in it the wanton resignation by the English government of that which had cost them so dearly and which constituted so perpetual a menace to their fishing and commercial interests.

Immediately after the treaty, the French took formal possession of the Ohio River and its tributaries. A post was also established at La Présentation, now Ogdensburg. A year following the peace, La Galissonière<sup>1</sup> prepared a very interesting survey of the French colonies in America. It is now more plain than ever, he says, that the English are stirred up over the international problems in America as never before and are determined to make an invasion of the French colonies during the next war. He then proceeds to discuss the relation of the several French colonies to the mother country. He first deals with the economic advantages to be derived from colonies, and on this ground has to admit that hitherto Canada has been a very unprofitable colony, while some of the small West India Islands have been sources of great revenue to France. But there are other considerations from a national point of view, such as honour, glory and religion. He first points out that it is quite impossible, in point of national honour, for France to desert the people of Canada who have settled there under her protection. It is also impossible to give up the great work of converting the heathen.

The chief reason, however, for maintaining a colony such as Canada is that it furnishes the best possible means for putting a drag upon the development of the British power in America. The importance of this must be recognized from the extraordinarily rapid development which the British colonies have achieved within the past few years. Were

<sup>1</sup> Administrator of New France in the interregnum (1747-49) between the governors Beauharnois and La Jonquière.

the French check upon the British power in America wholly removed, they would soon control the whole continent of America, including the West Indies. The strength of Canada, therefore, lies not in its being an asset in itself, but as a severe check upon the otherwise marvellous natural growth of the English colonies. In the first place, the French have the majority of the Indians on their side, and the Indians are beginning to realize that if one power becomes too strong for the other, the Indians will soon be disposed of by the stronger power. It is their policy, therefore, to maintain the weaker side, and a consciousness of this will attach them to the French cause. In the second place, there are a large number of French Canadians, originally settlers but who have broken away from the settlements and become *coureurs de bois*, living in the woods after the manner of the Indians and having a great influence with them, and these would be very powerful allies of the regular French forces. Lastly, if the English colonies in America are not kept in check, they will ultimately become a powerful force in every part of the world, including Europe, and France before long will find itself unable to cope with the strength of Britain. Canada, therefore, in spite of its expense, ought to be retained by France for her own preservation. The control of the Indians is the central matter, and Montreal is the key to the Canadian situation, as it affords a basis for the Indian trade and connection. It also enables Canada to control the Lake Champlain route, as well as that to the Great Lakes. Oswego is obviously the most dangerous English post. Another attempt is being made to establish English posts on the Ohio River, through which they will come into contact with the western Indians and possibly interrupt the French connection between Canada, the Illinois country and Louisiana.

In 1752 Duquesne succeeded La Jonquière as governor of Canada. In his instructions, it is pointed out that, at all hazards, the English must be prevented from trading with, or otherwise coming into contact with, the Indians of the west. As the English are now pressing into the Ohio Valley, it will be necessary to attack them and drive them

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from the country. Hitherto, the French policy with reference to the Indians has been to set one section against another, in order to weaken them and prevent their becoming a menace to the colony. Now they are well under French influence and there is no longer any fear of their attacking Canada. Henceforth, therefore, it must be the policy of the French to prevent conflicts between the Indian tribes, and to mediate their differences and to secure their united and firm alliance with the French, in order that their strength may be employed entirely against the English. He is informed, however, that the custom which has prevailed among the French of dressing and painting themselves in the guise of Indians in order to undertake scalping expeditions among the English settlers must be discontinued.

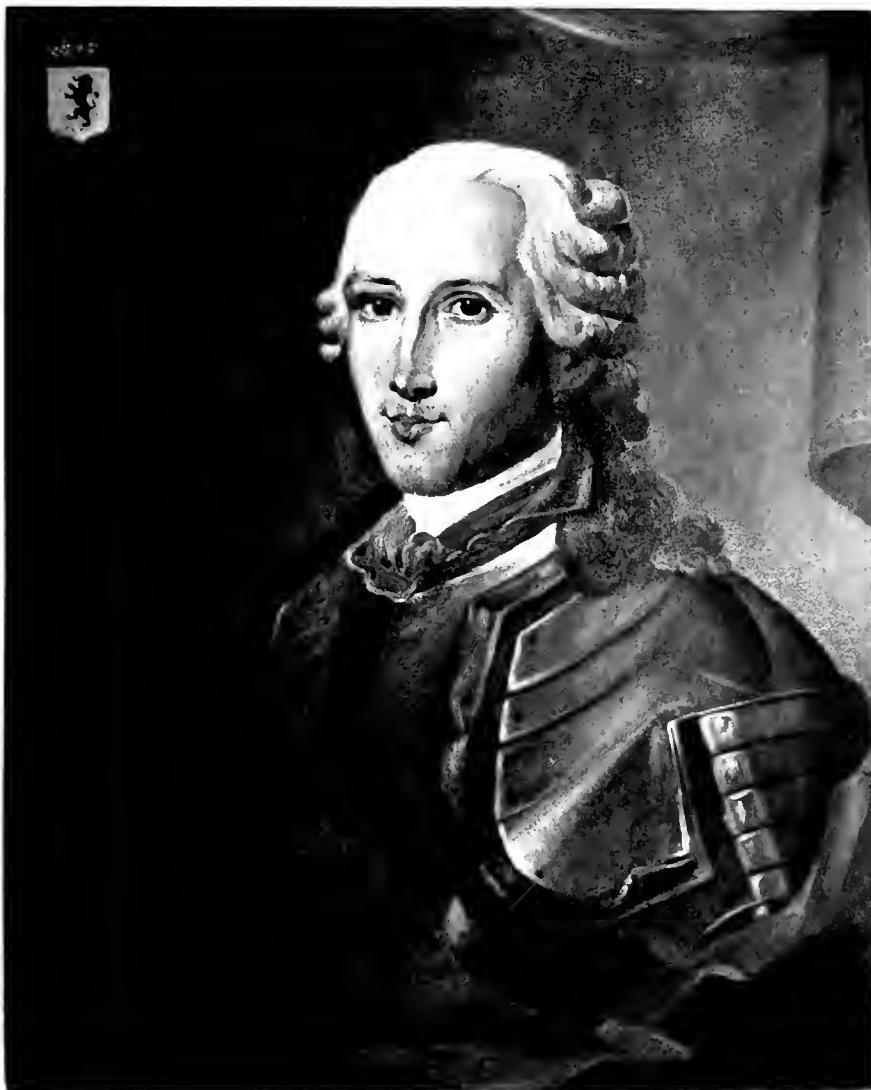
It appears from the reports of Longueuil<sup>1</sup> that the English are showing considerable determination in their western movements. They are getting the better of the Indians on the Ohio and turning some of them against the French.

It is rather remarkable that on the eve of the final conflict, the French government seems to have lost faith in its Indian allies. In the instructions to Vaudreuil the younger (1755) he is advised not to place too much reliance on the Indians and to avoid as far as possible Indian wars. He should not attempt to collect the Indians together, but should leave them to their own course, provided they do not attach themselves to the English. The Indians had been making a practice of getting the English and French to bid against one another for promises of their favour and support. One of the most profitable forms of traffic of this sort was that in flags. The Indians accepted flags and other emblems from the rival nations as marks of their friendship and alliance. These they immediately carried to the representatives of the rival power and exchanged them, together with their promises of loyalty, for handsome returns of goods and presents. At length the French king ordered the French side of this traffic to be discontinued, as it was becoming very expensive.

<sup>1</sup> Charles le Moyne, Baron de Longueuil, administrator of the colony 1752, before the arrival of Duquesne.

VAUDREUIL THE YOUNGER  
*François de Laval* (1712-1747)







In order as far as possible to offset the English post at Oswego, the French established Fort Rouillé at Toronto, on the north side of the lake, to intercept the Indians from that direction. In the Detroit region things were in a very bad condition owing to the outbreak of smallpox.

The appointment of the Marquis de Vaudreuil as governor in 1755 gave great satisfaction to the people. In the darkening days before the final struggle they remembered with pleasure the administration of his father, which was the brightest period in the later history of New France. They naturally looked to him to redeem the colony, alike from corruption and oppression within and from powerful enemies without. Under the circumstances they were, of course, expecting the impossible even if the second Vaudreuil had been the equal of his father in energy, ability and soundness of judgment.

With the open outbreak of hostilities in 1755, the political history of New France virtually ceases. Thereafter, everything is absorbed in the military operations and the commissariat system which furnished the troops with supplies and enabled Bigot and his associates to plunder the colony.

*Cedric Norton*

*Jn Chapais*



# THE CHURCH AND THE COLONY



## THE CHURCH AND THE COLONY

### I

#### EARLIEST EVANGELIZATION OF NEW FRANCE

THE authentic history of the Catholic religion in Canada begins with Jacques Cartier, the discoverer of the region named by him *La Nouvelle France*. In his narrative<sup>1</sup> he relates that he, with his followers, on July 24, 1534, planted a cross thirty feet high on the Gaspe coast. In the presence of several natives all the Frenchmen knelt down and prayed, and then pointed heavenward, trying to make the natives understand that on the cross depended our redemption. They planted three other crosses, the first on an island near Mingan, the second on an island near Three Rivers, and the third, the largest of all, thirty-five feet high, at St Croix, near Quebec, on May 3, 1536.

On this and on many other occasions Cartier unobtrusively, but with genuine fervour, allows the depth of his religious convictions to appear. From the fact that he sometimes speaks of 'hearing Mass' ('après avoir ouï la messe') and twice actually mentions his ordering mass to be said,<sup>2</sup> many Canadian historians have inferred that he had with him at least one priest; but the internal evidence of his entire narrative proves quite clearly that he had no priest with him at any time during his three voyages. As to the first voyage the negative argument of silence is very strong. Had a priest been present when he planted the first

<sup>1</sup> *Les Trois Voyages de Jacques Cartier au Canada*, forming the first part of *Voyages de Découverte au Canada entre les années 1534 et 1542 . . .* publiés sous la direction de la Société Littéraire et Historique de Québec. Imprimé à Québec chez William Cowan et Fils, 1843.

<sup>2</sup> Nous . . . fimes dire la messe, p. 6; Notre Capitaine ordonna que le dimanche ensuivant l'on diroit au dit lieu la messe, p. 57.

cross on the Gaspesian shore, he, who is so careful about relevant details, would assuredly have mentioned the well-known function of the priest in the ceremony of blessing and erecting a cross. He writes, with manifest regret, that he was merely a forerunner of future missionaries : 'We became aware that this nation could easily be converted to our faith.'

Cartier's account of his second voyage turns this negative argument into a positive one, which is absolutely unanswerable. He explained to the natives, 'among many other articles of our faith,' that there is but one God, Creator of all things, and that baptism is necessary for salvation. Donnacona, the ruler of Canada, and all the people of Stadacona thereupon came to ask for baptism ; but Cartier, not knowing how far their intention was pure and their fortitude sufficient, and 'there being no one that could instruct them properly in the Faith,' told them that, in a subsequent voyage, he would bring with him priests who would baptize them. Evidently, therefore, at that time he had none with him. After so solemn a promise, which he expressly says, 'made them very joyful,' he would surely have chronicled its fulfilment, had he been able to compass it, in the narrative of his third voyage. And yet nowhere does he mention it, although he notes that the Sieur de Roberval, whom King Francis I had appointed governor 'in the countries of Canada and Hochelaga,' reviewed 'all the gentlemen, soldiers and sailors who had been retained and chosen for the enterprise of this [third] voyage.' In this enumeration he would not have omitted priests, had there been any with him.

Granting this conclusion, how can we account for those phrases about 'hearing Mass' and 'having it said'? Simply by the habit pious Catholics commonly had in those days, and occasionally have even in our own, of getting a lay person to read before the assembled family or friends, the liturgical text of the mass, when both priest and church are out of reach on a Sunday or holy day. This is the explanation offered by the editor of the *Voyages de Découverte au Canada*. He looks upon it as 'certain that no ecclesiastic accompanied

Quartier<sup>1</sup> either in this first voyage or in the others which he subsequently made to Canada.' However, Jacques Cartier was instrumental in converting Donnacona and ten other natives, whom he carried with him on his return to France at the end of the second voyage. After a long sojourn in Brittany, during which they were duly instructed, they all asked for and received baptism and died in that country.

Although we read of many French traders visiting the Gulf of St Lawrence and Tadoussac in quest of furs and fish, during some seventy years after Cartier's last voyage, we do not come upon any account of an organized attempt at evangelization till 1604, when Pierre du Guast, Sieur de Monts, accompanied by Samuel Champlain and the Baron de Poutrincourt, took with him, on his first expedition to Acadia, a priest named Nicolas Aubry. That de Monts, a Huguenot, brought at least one priest and a Protestant minister, was due to the insistence of Henry iv, King of France, who stipulated, as an essential condition of the privileges he was granting to de Monts, that the Indians must be evangelized. In so doing His Majesty was simply following the example of his predecessor, Francis i, who, in his letters patent to Jacques Cartier, declared that he wished to be the propagator of Christianity in North America. This first effort, during the French régime, to convert the natives presented to them the sad spectacle of a divided Christianity and met with no success. Abbé Aubry returned to France in the following year. The other priest and the minister died in Acadia during the winter of 1605-6. Abbé Aubry, while he remained on the island of St Croix, no doubt said mass and held other religious services in the chapel indicated in Champlain's plan of that island.

The next Catholic priest to visit Acadia was Abbé Fléché, who came over with Poutrincourt's expedition in 1610. Poutrincourt, governor of Port Royal, a Catholic, to whom

<sup>1</sup> This spelling, archaic though it seems and common among writers of the seventeenth century, is incorrect. The great discoverer's signature, still extant, is 'Cartier.' See MSS. of Father Martin, S.J., Archives of St Mary's College, Montreal.

de Monts, obliged to remain in Paris after his hasty return thither in 1605, had ceded Port Royal Bay and the surrounding country, was most anxious, in order to please the king, to hasten the baptism of as many Indians as possible, and thus prove to His Majesty, who had wished him to take as missionaries priests of the Society of Jesus, that the Jesuits were not needed in Acadia. Accordingly, seeing that Abbé Fléché did not know a word of the Indian language, Poutrincourt charged his son, Charles de Biencourt, who had learnt enough for daily intercourse and trade with the natives, to instruct the chief, Membertou, and his family, so that they might be baptized. This great chief of the Micmac or Souriquois tribe was over one hundred years of age, and was renowned for bravery, physical strength and diplomatic skill. He had proved his trustworthiness by carefully preserving from depredation, during three years, the buildings and furniture which Poutrincourt had confided to him as a sacred trust when he had to leave Acadia in 1607 for France, to plead for the interests of the colony, jeopardized by the withdrawal of the original monopoly of trade. Membertou, therefore, was an ideal catechumen. Unfortunately, the catechist was deplorably deficient. De Biencourt could find in his scant Indian vocabulary no words but those that express material things, no terms for abstract notions such as abound in the teachings of Christianity. In his instructions he omitted all mention of the duties of a Christian; he was especially careful to avoid blaming the Micmac taste for polygamy. Apparently these shortcomings of the catechist, which became notorious later on, were then unknown to Abbé Fléché. Relying upon de Biencourt's plausible report of his success in enlightening the Micmac catechumens during three weeks' instruction, he solemnly baptized Membertou and twenty other Indians on the occasion of the feast of St John the Baptist, June 24, 1610. De Biencourt, delighted with this achievement, departed for France on July 8, taking with him a list of the twenty-one neophytes.

Meanwhile Marc Lescarbot, whose purpose was to praise Poutrincourt and all his works, wrote a monograph lauding

this wholesale conversion. Lescarbot, who was so various and versatile a genius that one historian calls him a 'good Catholic,' another 'a Huguenot,' a third 'a Huguenot at heart, though nominally a Catholic,' had come, through curiosity and love of novelty, to assist in founding the colony. He was really of great service to Poutrincourt, whose panegyrist he afterwards became. As the Abbé Aubry had returned to France, and there was no longer any priest at Port Royal, Lescarbot promptly blossomed forth, during the long winter of 1606-7, as a song-writer, a catechist and a lay-preacher. After his return to France in the summer of 1607, he wrote his *Histoire de la Nouvelle-France*, wherein he relates his doings with no little dash and self-complacency. Such was the man who now ventured not only to approve and applaud as 'masterpieces of Christian piety' these disgracefully hurried baptisms which the Paris Sorbonne condemned as 'profanations,' but to take occasion therefrom, while extolling Poutrincourt's zeal for the glory of God, to belittle the bishops and the nobility for not having done as much for the heathen.

The arrival of the Jesuit Fathers Biard and Massé at Port Royal on the feast of Pentecost, May 22, 1611, dispelled all these illusions. The two missionaries, who had read Lescarbot's brochure on the conversion of the Micmacs, expected to find a fervent group of neophytes, sufficiently instructed in the principal doctrines of the faith. Instead they found unconverted savages, with all the heathen vices. When these heroes of the Lescarbot high comedy were asked if they were indeed Christians, they said they did not know what the word meant. The question being changed to 'Are you baptized?' they replied in the affirmative, and added that they were almost *Normans*, the name they generally gave to all the French. These supposed converts could not even make the sign of the Cross; they had not the slightest idea of Our Lord and Saviour Jesus Christ, nor of the church, the creed, the commandments, prayer and the sacraments; on receiving baptism they had not been told of the obligations it imposed. One day Father Biard asked the Sagamore or Chief of St John River, one of the baptized

Indians, how many wives he had. ‘Eight,’ he answered proudly, pointing to seven of them there present. A Souriquois in search of several wives spoke about it to the father as if polygamy were the most natural thing in the world. ‘But,’ said the missionary, ‘you are a Christian; what you speak of is forbidden; you can have only one wife.’ ‘Oh, that’s all right for you Normans,’ replied the savage.

Evidently the work of evangelizing these baptized heathens had to be begun all over again. Membertou was the only one that seemed to have some inkling of the Faith. He longed to understand the religion he now professed. He used often to say to Father Biard: ‘Make haste to learn our language; then you can instruct me, and I will become a preacher like you.’ Even before his baptism he was an exception to all the other sagamores in that he never had more than one wife living.

Of course the first step was to learn the language. De Biencourt could teach the missionaries what he knew, and that was enough to reveal the disheartening fact that the Micmacs, being absolutely ignorant of any social organization and of the complexity of civilized life, and utter strangers to the intellectual and spiritual world, to the realm of the ideal, the infinite, the supernatural and the divine, had no terms to express such things. Consequently, there was not only a new language to master, but also another new language to create. We have dwelt at some length on this episode because it is typical of the tremendous linguistic difficulties with which the first missionaries in Canada had to grapple. They had first to learn all the words the Indians could teach them, and then arrange these words into new combinations, so as to suggest moral and religious ideas. Father Massé went to live among the Indians, in the tent of Louis Membertou, eldest son of the centenarian sagamore, and very nearly died of hardship. Father Biard, who remained at Port Royal, chose as his teacher an intelligent young native. In order to win the favour of this savage and thus extract from him the resources of the Micmac tongue, he made himself the fellow’s servant, literally a hewer of wood and a drawer of water. Before questioning the Indian, Father

Biard would tempt him with a full dish of meat. In spite of all his efforts, the impatience of the Micmac would break out ; he would get up and walk away in disgust. When Father Biard asked him how to express such notions as faith, hope, grace, sacrament, mystery, virtue, and sin, the cunning Indian, either because he was unable to find equivalents, or through devilment, taught him indecent expressions, which the simple missionary would afterwards innocently repeat to others. However, neither Massé nor Biard was discouraged. By energetic effort and perseverance they created an ecclesiastical vocabulary, intelligible to the Indians, and composed, towards the end of 1612, a small Micmac catechism.

Their ministrations were not altogether fruitless. They baptized seventeen children and some adults in danger of death. Moreover, they succeeded in winning the confidence of the Indians. Father Biard writes : ‘The Souriquois trust us so fully that we live among them with less fear than we should experience in Paris. For, in Paris, we should not dare to sleep without carefully locking our door ; here we shut it only against the wind and sleep none the less securely. At first they shunned and feared us ; now they desire our company.’ Membertou was dying. The two fathers nursed him, instructed him in the truths necessary for salvation, reconciled him to God, and administered Extreme Unction. They had the supreme consolation of seeing him meet his end in the strong faith and trust of a true Christian, after giving up his most cherished superstitions and exhorting the members of his family present at his deathbed to pray for his soul and to live always in peace with the French.

The missionaries, now sufficiently familiar with the Indian language, were about to labour more effectually for the conversion of the whole tribe, when all their plans were upset by de Biencourt’s baseless prejudices against the Jesuits. A report of his behaviour towards them having reached the Marchioness de Guercheville, a wealthy French lady, zealous for the conversion of the Indians, she bought out all the Baron de Poutrincourt’s Acadian possessions, except Port

Royal, and determined, perhaps unwisely, to found another colony. She obtained from the Queen Regent a charter allowing the Jesuits of Port Royal to leave that place without the governor's permission and settle wherever they chose. De la Saussaye, captain of the vessel that brought this news, together with a third Jesuit missionary, Father James Quentin, reached Port Royal on March 12, 1613, took on board the two other missionaries and landed them and all his crew and stores on Mount Desert Island, near the mouth of the Penobscot. This river flowed through the country of the Etchemins, neighbours and allies of the Micmacs. Thence it would be easy enough to evangelize the Abnakis. The new settlement, which seemed full of promise, was named St Sauveur.

While the Jesuits were building a chapel, Samuel Argall—in whom Bancroft notes ‘indiscriminate rapacity and vices,’ with ‘capricious passions against which life itself was insecure’—commanding an English ship of fourteen guns and a crew of sixty fighting men, succeeded, by what Parkman calls ‘an obscure stroke of lawless violence,’ in carrying off Fathers Biard and Quentin. During the Virginians’ attack Father Massé and fourteen other Frenchmen managed to escape to Port Mouton, whence they were carried on Breton ships to France. Later on, Argall, who had sailed back with his prisoners and booty to Virginia, returned with three vessels, looted St Croix and Port Royal, and burned whatever he could not carry away. The ship on which were Fathers Biard and Quentin, though destined for Jamestown, Virginia, was driven by adverse winds to the Azores. The captain, Turnel, being insufficiently provisioned at Fayal for a voyage across the Atlantic, made for England. There Turnel, who was a very different man from Argall, having learned to appreciate, from long experience in the most varied and adverse circumstances, the calm courage, the charity and sincerity of the two Jesuits, recommended them so highly that the British government had them escorted, with every mark of respect, to France. Thus did national rivalry put an end to the first effort at evangelizing the natives of New France.

## II

## THE RÉCOLLETS

DIRECTLY after founding Quebec in 1608, Champlain, when urging, in opposition to de Monts, its retention as chief post of the colony, had represented as his principal reason the advantages which this post would offer for the conversion of the heathen ; yet he confesses that, after many years of effort, he 'had made but very little progress towards that end, because he had not been assisted, as he ought to have been, in such an enterprise.' Providentially, however, in 1615, his search after much-needed help was rewarded by meeting the Sieur Hoüel, secretary of the king, and general controller of the Brouage salt-works, a man of great piety and zeal, who not only approved his project, but persuaded the Récollet friars to undertake the Canadian mission.

Accordingly Fathers Denis Jamay, who was commissary or superior, Jean d'Olbeau, Joseph le Caron and Brother Pacificus du Plessis, having received letters patent from Louis XIII highly commanding their apostolic enterprise, set sail from Honfleur on April 24, 1615, and arrived at Tadoussac on the 25th of the following month. After two days' sojourn, during which sail-boats were prepared, Father Jamay sent Father d'Olbeau ahead to Quebec. The latter arrived there with Champlain on June 2, and they immediately set to work to build a chapel. The three other Récollets left Tadoussac about June 1. Father Joseph le Caron, who apparently had journeyed in a separate boat, passed Quebec without stopping there, before the arrival of Father Jamay and Brother Pacificus, and went on up the river to Sault St Louis. There, having made acquaintance with the Indians and their manner of life, he determined to spend the winter with them in order to learn their language and to evangelize them. He then journeyed back to Quebec to make preparations for his sojourn among the savages. Meanwhile Champlain, having spent five or six days at Quebec, embarked, on or about June 8, with Father Jamay

for Sault St Louis. On the Rivière des Prairies, five leagues below the Sault, he met Father le Caron returning to Quebec, and tried to dissuade him from braving the terrible hardships of a winter with the Indians in the wilderness. But the fervent missionary, alleging that it was his vocation to suffer poverty and pain, persisted in his purpose, and reached Quebec on June 20. Promptly getting together vestments, sacred vessels, and other necessaries for the winter campaign, he resumed his westward journey. On the Rivière des Prairies, near the eastern extremity of the Island of Montreal, he again met Champlain, who was returning to Quebec after a conference with the natives of Sault St Louis.

There, on June 24, 1615, the feast of St John the Baptist, who was afterwards chosen as the special patron of Canada, the first mass ever celebrated in the province of Quebec was sung by Fathers Jamay and Le Caron in the presence of many Indians. Father d'Olbeau, who said mass at Quebec on the following day, affirmed that his was the first mass offered up in New France, but he was not then aware of Father le Caron's service on the Rivière des Prairies. The *Mémoire des Récollets* of 1637 distinctly states that the first mass was 'celebrated at Rivière des Prairies and the second at Quebec.'

True to his apostolic resolution Father le Caron joined some Hurons going back to their country after trading with the whites, and spent the winter in one of their camps. Father John d'Olbeau set out on December 2 to winter among the Montagnais in the neighbourhood of Tadoussac. The superior, Father Denis Jamay, remained in Quebec in order to minister to the French Catholics and to have an eye on Three Rivers, where Father le Caron, before his departure with the Indians, had, with the assistance of some Frenchmen and natives whom he found there, built a chapel, and said mass on July 26 of the same year. All three missionaries were doing their best to found settlements at the trading posts of Quebec, Three Rivers and Tadoussac, hoping to persuade the Indians to give up their wanderings, settle down in fixed places and apply themselves to the tillage of the soil. Their plan was to get virtuous Catholics to colonize

these places and by their good example to assist the missionaries in a practical way in inducing the Indians to embrace the faith. But this praiseworthy design was constantly thwarted by the Merchant Company, which feared that the domesticated Indians would no longer hunt furs for its own profit. Most of the influential members of the company, being Huguenots, were openly hostile to the missionaries. Indeed, one of the chief traders, though professing to be a Catholic, declared that, if the fathers tried to make the Indians sedentary, the company would drive them out by force.

Realizing that the only hope lay in the children of the Indians, the Tadoussac missionary opened a school, the first in the country, in his own house. Some of the Indian lads he thus lodged and fed were fast becoming civilized and had already learned to read and write fairly well, when a request he made for assistance was refused by the company, which maintained that it was spending quite enough in supporting the missionaries. As the missionary could not feed his pupils, he had to give up his undertaking as the pioneer schoolmaster of Canada.

The Merchant Company went so far as to forbid its French interpreters to teach the Récollets the rudiments of the native languages used by these employees in their intercourse with the Indians. In spite of Champlain's remonstrances, nothing was done for the colonists or the natives. The company discouraged colonization lest it might hinder the fur trade. In 1617, nine years after its founding, Quebec, numbered only fifty or sixty French inhabitants. In 1620 there were still no more than sixty, including men, women, children, friars, and their ten workmen. In order the more effectually to prevent any permanent growth of the settlement the company forbade the clearing and tilling of the soil, and sent to France for provisions, which were frequently so meagre as to reduce the people to the verge of starvation.

The Récollets, witnessing these wretched conditions, and fully realizing that the establishment of the Catholic religion in New France had been entrusted to them, and that the company, which had received orders to assist in this great

work, was impeding it in every way, felt it their duty to report to the home government. Accordingly, Fathers Jamay, Le Caron and d'Olbeau in turn visited France and protested. Unfortunately, just at that time the French court was more excited by the *Révolte des Seigneurs* than by the dastardly avarice of the Merchant Company. Still more unfortunately, the Prince de Condé, who succeeded his late uncle as governor of New France, had just been arrested and imprisoned in the Bastille, and Marshal de Thémire, who was acting governor, was engrossed in the emoluments of his office. And when Condé, released from the Bastille in 1619, resumed his governorship, he straightway sold the vice-regal office to the young Duke of Montmorency for eleven thousand crowns.

Montmorency, as fond of pleasure as of honneur, would have preferred to hear nothing of the sad state of affairs in Canada, but he was forced to listen to the complaints that came to him from all sides. Seeing that the company kept none of its promises, cared for nothing but profits, and hearkened to no reproofs, he founded a new merchant company, at the head of which he placed two Huguenots, Guillaume and Emery de Caen, uncle and nephew. The two societies, after some quarrels and lawsuits, amalgamated under the title of 'Compagnie de Montmorency.' This company, which at first seemed desirous of avoiding the blunders of its predecessor, soon manifested not only its indifference but its hostility to the colonizing of the country. Benjamin Sulte, in his *Histoire des Canadiens-Français*, says : 'Moreover, the interested parties or traders quarrelled among themselves under the pretext that they were either Catholics or Huguenots, another obstacle to the propagation of the Gospel. Except Champlain and the RÉCOLLETS, no one saw or wished to see the real situation. The Indians were far from edified, and the colony suffered more than could be told.'

Meanwhile Father Jamay, superior of the Canadian missions, and Father Paul Huet, who had first come to Canada in 1617 and was now in France on business connected with the missions, obtained permission to construct at Quebec

a regular friary of the Franciscan order. Ecclesiastics and laymen contributed several thousand francs to this undertaking. Hitherto there had been only one priest residing at Quebec, and he could hardly conduct alone the daily canonical chant. It was therefore deemed advisable to send to Canada another priest, Father Guillaume Poulain, who, with Father Huet, three *donnés* (voluntary unpaid assistants) and two wage-earning workmen, reached Quebec in June 1619. The joy of their safe arrival was marred by the death, a couple of months later, of Brother Pacificus du Plessis. Albeit a mere lay brother, not in holy orders, Pacificus had saved the colony from complete destruction, when, in 1617, while engaged in teaching Indian children and a few French settlers at Three Rivers, he was warned by a friendly Indian, named Laforière, that a great council of eight hundred Indians, held in the neighbourhood, had decided to surprise and kill all the French at Quebec. Brother Pacificus promptly sent a messenger to Quebec, and influenced Laforière to persuade his people to give up their sanguinary project. Besides this providential information, due to the good brother's kindness, simplicity and zeal, which had won the sympathy of Laforière, Brother Pacificus had done real missionary work in baptizing infants at the point of death and instructing adult Indians and French colonists.

The foundation-stone of the friary, situated about a mile and a half from the fort of Quebec, was laid on June 3, 1620. A few days later, at the beginning of July, Champlain, who had remained two years in France working on behalf of the colony, returned to Quebec, accompanied this time by his wife, Hélène Boullé. Madame Champlain, then only twenty-two years of age, won the esteem and affection of the French and the Indians by her beauty and her kindness. She learned the Algonquin language and taught catechism to the Indian children.

Champlain, whom Montmorency had appointed his lieutenant-general in New France, brought with him three Récollets : Brother Bonaventure, Father Denis Jamay, returning as superior, and Father George le Baillif, a man of noble lineage and great personal worth, highly esteemed

by Louis XIII. Montmorency, Villemenon, the intendant-general of marine, and Dolu, the intendant of New France, advised Champlain to undertake nothing important without consulting Father le Baillif, and assured the lieutenant-general that whatever he did with his approval would also receive theirs.

As the superior of the Récollets had brought skilled workmen, the friary was soon made ready to receive the religious brethren as well as Indian school-boys. The friary chapel was blessed on May 25, 1621. The little chapel built in 1615 near the company's store, was thenceforth used as the parish church, and in it solemn functions were held on Sundays and holy days.

As the company refused to teach agriculture to the Indians, the Récollets secured a grant of two hundred acres adjacent to their friary and persuaded three or four native families to settle there. So inextensive, however, was their husbandry that in 1626 they had only two or three acres raising Indian corn. Champlain wished to see large numbers of Indians adopt this sedentary life, learn farming and live among the French. He held, with the Récollets, that this was the surest way to prepare them for baptism and to make them friendly to the French, who might employ them with great advantage on exploring expeditions. Soon after his return from France, he singled out Miristou, a Montagnais who wished to be chief, and promised that he would have him elected, provided he and his thirty companions settled near Quebec and tilled the soil. They all agreed to the proposal, thanks to Miristou's influence, and began to cultivate seven acres of land near La Canardière on the north bank of the St Charles River. Champlain then fulfilled his part of the contract and got Miristou elected to the chieftainship in spite of strong opposition from rival applicants. The lieutenant-general hoped that the Indians, when once domiciled near the French, would send their children to the priests for instruction, and would themselves gradually be drawn to the faith.

But the clerks and other employees turned against Champlain on account of his having been instrumental in

the formation of the new company and of his measures for the establishment of order, justice and public safety, and more especially because he had set to work to build a fort. They murmured against him and thwarted all his plans. Vain was his effort to convince them that the fort was a necessity for the defence of the infant colony against Indians and pirates from neighbouring American settlements of hostile Europeans. The malcontents feared that the fort would enforce the law upon themselves. It was only by dint of patience and perseverance that he succeeded in erecting what afterwards was called 'Le Château St Louis,' for many years the headquarters of French power on the American continent.

In 1617 Champlain had persuaded Louis Hébert, a native of Paris, to come out to Canada with his whole family. This was fortunate for the colony, since Hébert, who was by profession an apothecary, had already been in Acadia with Poutrincourt and had shown taste and skill in agriculture. His was the first family that settled in Canada, and his descendants multiplied so widely that there are now few of the older French Canadian families that cannot trace their descent from Louis Hébert. His eldest daughter, Anne, was married that same year by Father le Caron to Étienne Jonquest, a native of Normandy. This was the first marriage in New France. Unfortunately the wife died in childbirth. In 1621 Hébert's second daughter, Guillemette, was married to Guillaume Couillard, a carpenter employed by the company. In October of the same year the first baptism recorded in Canada, that of Eustace Martin, son of Abraham Martin and Marie Langlois, was entered in the register of Notre Dame de Québec. It was this Abraham Martin, whose descendants also were very numerous, who gave his name to the historic Plains on which the fate of New France was decided in 1759.

The company had consented to support six missionaries, but as this number was not enough for the distant missions and for the settlement at Quebec, the Récollets obtained permission to bring over, at the company's expense, which in this case was slight, the three zealous young laymen whose

arrival in 1619 has already been mentioned. These *donnés* were of great assistance in humanizing and catechizing the Indians. One of them, Pierre Langoisseux, a native of Rouen, after three years spent in instructing the Indians at Three Rivers, and after repeated entreaties on his part, was admitted as a novice of the Récollet Order, and received the habit of St Francis in the Church of Notre Dame des Anges in September 1622, under the name of Brother Charles. This ceremony, which took place in the presence of Champlain, all the colonists, and a crowd of Indians, impressed some of the French mothers so much that they insisted upon three of their children being clothed in the habit of the Third Order. Many of the squaws longed for the same favour, but were refused, as their children had first to be instructed and baptized. Further, the Récollets were so poor that they could receive but very few Indian children into their seminary. They deplored the fact that the fewness of these boy catechumens was due to the poverty of the colony, which was in turn due to the penuriousness of the company, which was making enormous profits with its furs bought for a song and sold in France at exorbitant prices.

In striking contrast with this heartless avarice was the heroism of the Récollet missionaries. A glimpse at some of their experiences will help the reader to realize, in the case of all subsequent missionaries to the Indians of Canada, what sort of life they led.

When Father d'Olbeau first went to Tadoussac he spent part of the winter trying to follow the roving Indians to their frozen hunting-grounds. He was not robust, and his eyes were weak. Living in a wigwam of birch bark, full of dogs, fleas, stench, and dirt, he succumbed at length to the smoke, which almost blinded him, forcing him to remain for several days with his eyes shut. Finally, to save his sight, without which he could not continue his apostleship, he returned to Quebec. But at the very opening of spring he set forth into the north on a journey so extended that it brought him into contact with outlying bands of Eskimos.

Father le Caron, while his brethren were building the friary at Quebec, hastened to join a large band of Indians

who were ascending the Ottawa River. He wrote to a friend :

It would be hard to tell you how tired I was with paddling all day, with all my strength, among the Indians ; wading the rivers a hundred times and more, through the mud and over the sharp rocks that cut my feet ; carrying the canoe and luggage through the woods to avoid the rapids and frightful cataracts ; and half starved all the while, for we had nothing to eat but a little *sagamite*, a sort of porridge of water and pounded maize, of which they gave us a very small allowance every morning and night. But I must needs tell you what abundant consolation I found under all my troubles ; for when one sees so many heathens needing nothing but a drop of water to make them children of God, one feels an inexpressible ardour to labour for their conversion, and sacrifice to it one's repose and life.<sup>1</sup>

Another Récollet, Brother Gabriel Sagard, who wrote the *Histoire du Canada et Voyages des Pères Récollets en la Nouvelle-France*, followed the same route in similar company a few years later, and reckons from eighty to a hundred waterfalls and rapids in the course of the journey. The task of avoiding them by pushing through the woods was the harder for him because he went barefoot ‘in imitation of our Seraphic father, St Francis.’ ‘We often came upon rocks, mudholes, and fallen trees, which we had to scramble over, and sometimes we must force our way with head and hands through dense woods and thickets, without road or path. When the time came my Indians looked for a good place to pass the night. Some went for dry wood, others for seven or eight poles to hold up the hut ; others kindled a fire, and hung the kettle to a stick stuck in the ground ; and others looked for two flat stones to bruise the Indian corn, of which they made *sagamite*.’ Owing to the exceeding filthiness of the cookery, this scanty fare was repulsive to him. But he had to disguise his feelings. ‘One must always keep a smiling, modest, contented face, and now and

<sup>1</sup> Parkman's translation, from Le Clercq's *Établissement de la Foy*, in *Pioneers of France in the New World*, revised edition, 1885, p. 401.

then sing hymns, both for his own consolation and to please and edify the savages, who take a singular pleasure in hearing us sing the praises of God, rather than worldly songs, to which I have sometimes seen them object.'

His worst trial was the flies and mosquitoes. 'If I had not kept my face wrapped in a loosely woven cloth, I am almost sure they would have blinded me, so pestiferous and poisonous are the bites of these little demons. They make one look like a leper, hideous to the sight. I confess that this is the worst martyrdom I suffered in this country ; hunger, thirst, weariness and fever are nothing to it. These little beasts not only persecute you all day, but at night they get into your eyes and mouth, crawl under your clothes, or drive their long stings through them, and make such a noise that it often distracts your attention, and prevents you from praying to God, reading, writing and performing your other duties in peace.' He counts up three or four kinds of them, and adds that in the Montagnais country there is still another kind, so small that they can hardly be seen, but which 'bite like devils' imps.'

This Brother Sagard, who came to Canada in 1623, is one of the best chroniclers of this period. He dwells frankly on the difficulties of evangelization and on the little fruit of the labours of his brethren among tribes always seeking revenge upon their foes. Nevertheless, the intervention of the Récollet Fathers helped to bring about the general truce proclaimed at Three Rivers between French, Iroquois, Algonquins and Hurons. The hatchet this time was not buried, but hurled into the river, and several Indians made up their minds to settle down near Quebec in order to be instructed in the Catholic faith. It was a forecast of this soul-harvest about to be garnered that determined the Récollets, devoid as they were of resources and too few in number, to invite the Jesuits to help them in christianizing the Indians.

Ferland, in his *Cours d'Histoire du Canada*, says that the Récollets at first endeavoured to civilize the Indians and thus prepare them for Christianity, but that they afterwards learnt from experience that these children of the forest,

accustomed to absolute liberty of action, could never bear the yoke of regular, civilized life, and that their conversion would have to be indefinitely postponed if they must first become Frenchmen before they became Christians. Ferland adds that the prolonged experience of more than two hundred years—he wrote in 1861—has confirmed the second and wiser judgment of the Récollets. There are, he says, in different parts of Canada many excellent Catholic Indians for whom a roving life of hunting and fishing is no obstacle to faith and virtue.

## III

## THE JESUITS

THE Récollet Father, Irenæus Piat, who had come to Canada in 1622, sailed for France in 1624 with Brother Sagard to present a formal invitation to the Society of Jesus to send missionaries to New France. As the Jesuits gladly accepted this offer, the project was submitted to Henri de Lévis, Duc de Ventadour, who had succeeded his uncle the Duke of Montmorency as viceroy of Canada. De Ventadour, who was full of zeal for the conversion of the Indians, not only approved of this Jesuit mission but obtained the king's consent to it, and intimated to the officers of the company at Quebec that they must obey the king's behest, whether they liked it or not.

Many of these officers, being Huguenots, were decidedly opposed to this arrangement. They had tolerated the Récollets, but they feared that the Jesuits, who had influential friends at court, might carry their complaints of the company's conduct to the foot of the throne. We have seen how much reason they had to dread a royal commission of inquiry. But they had to yield to the orders of the viceroy, who himself defrayed the expenses for the voyage of the Jesuit Fathers, Charles Lalemant, superior, Ennemond Massé and Jean de Brébeuf, and of two lay brothers, François Charton and Gilbert Buret. On April 24, 1625, the five Jesuits embarked at Dieppe on Guillaume de Caen's ship, with the Récollet Father, Joseph de la Roche d'Aillon.

When the Jesuits landed at Quebec on June 15 they were told to go back to France. Slanderous pamphlets against their order had been so sedulously circulated that Catholics as well as Huguenots refused to receive them. In the absence of Champlain, who was in Paris busy with the colony's affairs, Emery de Caen, who replaced him for the time being, declared to the Jesuits that there was no room for them either in the *habitation*, or in the fort, and that, moreover, he had no orders from the viceroy.

In this sore plight the Récollets came nobly to the rescue. Hearing that the Jesuits were so badly treated, they boarded the ship in a row-boat, welcomed them with the greatest kindness, and gladly gave up to their exclusive use half their friary and adjacent land. Thus did the sons of St Francis and St Ignatius dwell together for many months under the same roof. Nor did the Society of Jesus ever forget the debt they owed to these devoted friends for their aid in an hour of dire distress.

The Jesuits immediately chose a site, as yet unoccupied, near the property of the Récollets, and wrote to the viceroy, who ceded to them, on March 10, 1626, all the land between the Beauport River and 'le ruisseau Saint-Michel.' On August 1 of the same year they began to cut down the trees and dig the soil. With the help of twenty carpenters and labourers, whom Fathers Noyrot and de Nouë had brought to Quebec, on July 14, 1626, they continued their clearing and tillage, and built a house for themselves near the confluence of the Laiet and St Charles Rivers.

These beginnings were, no doubt, encouraging. But the Jesuits, though highly esteemed by the Catholic settlers now that they were known not from lying reports but from actual intercourse, soon realized that a colony founded for the spread of the Catholic religion could never prosper so long as it was at the mercy of a company managed by Calvinists seeking nothing but commercial gain. Accordingly, Father Lalemant, who had been studying the situation during the thirteen months he had been in the country, sent Father Noyrot back to France with instructions to lay the whole matter before the viceroy. Noyrot, finding that neither the

viceroy nor even the king himself was brave enough to cut the Gordian knot, appealed to the power behind the throne, Cardinal de Richelieu, who was then at the height of his fame. The great minister, at the very moment when he was straining every nerve to stop the inroads of Calvinism in France, could not brook its monopoly in a Catholic colony. He therefore immediately resolved to suppress the Montmorency company for its failure to fulfil its engagements, and to set up in its stead an exclusively Catholic company strong enough to give life and importance to the colony, and zealous enough to further the conversion of the Indians. On April 29, 1627, he signed the decisive document establishing the *Compagnie des Cent Associés* (Company of One Hundred Associates). To make sure that the associates would do their duty, he put himself at their head in place of the Duc de Ventadour.

By the terms of this document the king bestowed upon the company Canada and Florida, and granted to it a monopoly of the fur trade on condition that the company should send out to Canada none but French Catholics. It should send out, in 1628, two or three hundred, and as many as four thousand in the course of the following fifteen years. It should lodge, feed and support these colonists during three years, after which it should either distribute among them cleared lands and seed-grain or give them other means of subsistence. During fifteen years it should also defray the expenses of public worship and support three priests. All converted savages were to be treated as naturalized French subjects.

Organized under such favourable auspices, the new company bid fair to make Canada a prosperous colony. At the outset the associates showed great zeal. In 1628 they equipped four vessels, commanded by the Sieur de Roquemont, one of the associates. Another ship, freighted by Father Noyrot for the needs of his order, joined the little fleet, which set sail from Dieppe on May 3. Father Noyrot was accompanied by two lay brothers, while Fathers Lalemant and Ragueneau, the latter a new Jesuit missionary, were on one of the company's ships. They started with great hopes not only of revictualling the half-starved colonists at Quebec

but of inaugurating an era of great prosperity. These ships with their much needed cargo never reached Quebec.

David Kirke, who, though born at Dieppe of a French mother, had for father Gervase Kirke, a merchant of London, who went at an early age to the metropolis from Greenhill in Derbyshire, was, contrary to the common opinion, not a Huguenot, but, in his later life at least, a staunch adherent of the Church of England and a great admirer of Archbishop Laud. These family details, brought to light by Henry Kirke in *The First English Conquest of Canada*, vindicate David from the charge of treachery to France, since his allegiance seems to have been by blood a divided one. He was placed by Sir William Alexander, a favourite of James I and of his son Charles I, in command of a small but well-equipped fleet of three ships, commissioned by the king of England to capture and destroy any French ships they might encounter and to uproot the French settlements in Nova Scotia and New France. Before leaving England in the spring of 1627, Captain Kirke had heard rumours, which turned out to be greatly exaggerated, of the fleet fitting out in France to establish the new company in Canada, and waited some time on the shore of Newfoundland in hope of receiving fuller information. At length, tired of waiting in vain, early in July 1628, he made a dash up the River St Lawrence, burned Tadoussac and the farm buildings at Cap Tourmente, and, anchoring a few miles below Quebec, sent a ship's boat to Champlain with the message, 'Surrender the *Habitation*, for, with God's help, I must have it sooner or later.' Champlain replied : 'Tell your master that if he wants to get a closer view of us, he should come nearer and not threaten us from so far.' Kirke, thinking that Champlain could really defend himself, withdrew. 'And yet,' says the brave old chieftain, 'each man was reduced to seven ounces of peas a day, and we had only fifty pounds of gunpowder ; but there is no harm in putting a good face on things.'

David Kirke then resolved to intercept and capture de Roquemont's richly provisioned fleet known to be then on its way to Quebec. De Roquemont, warned by friendly Indians of the havoc wrought by Kirke at Tadoussac, tried to avoid

meeting the English vessels. Leaving Gaspe, on July 15, 1628, he sailed warily up the St Lawrence. Three days later he unexpectedly came within cannon shot of the enemy. The naval battle, during which twelve hundred shots were exchanged, lasted fourteen hours. Finally, de Roquemont, seeing that his ship was sinking, surrendered. Father Noyrot's ship, however, managed to escape and ultimately, after many dangers, reached a French port. Kirke's terms were generous enough. Laden with valuable booty, he exacted no penalty from his captives and spared from harsh treatment even the Récollets and Jesuits. Unable to accommodate all the new passengers, he landed some of the families and the Récollet Fathers on the Island of St Pierre, whence the latter made their way to France. The Jesuits were taken as prisoners to England and thence, at the request of Queen Henrietta, were sent to Belgium.

David Kirke and his brothers Lewis and Thomas, on their arrival in England, fitted out a larger fleet, left Gravesend on March 25, 1629, and overhauling, at the beginning of July, a 10-ton sloop sent by Champlain to get provisions at Gaspe, learned from the captain, Eustace Boullé, Champlain's brother-in-law, and his twelve men the desperate condition of Quebec. The Kirkes shortly afterwards appeared before the helpless fort, which they now summoned to surrender. Resistance being impossible, Champlain signed an honourable capitulation on July 19, 1629. All the French who wished it would be shipped to France, the officers with arms and baggage, the soldiers, each with his clothes and a beaver coat, the religious with their books. Champlain and his soldiers chose to return home. The next day one hundred and fifty Englishmen took possession of the fort and storehouse.

Champlain before reaching Europe was overjoyed to learn that, after the defeat of the Huguenots and English at La Rochelle, peace had been signed between France and England on April 24, 1629, almost three months before the capitulation of Quebec. He immediately reported to the French ambassador in London and obtained from him the promise that he would do his best to get the colony restored

to France. But the English adventurers were as keen to hold what they had, as Louis XIII's ministers stupidly were willing to abandon what they, in their ignorance of the fur traders' profits, considered a useless colony. In vain for a time did Champlain plead that France should give to her colonists the same opportunities for agriculture as England gave to hers, and that the harvest of Indian souls, now beginning to ripen, should not be forsaken. The negotiations dragged on for two years and a half. Finally, however, Champlain's arguments prevailed on Richelieu to arrange for the preservation of Canada to France. In order to bring matters to a crisis, Richelieu began to arm ten men-of-war for the retaking of Quebec. At the first news of this armament England made haste to conclude, on March 29, 1632, the treaty of St Germain-en-Laye, which gave back to His Most Christian Majesty all the places seized by the English in New France and Acadia.

The few French settlers who had remained at Quebec without a priest were not allowed by the English to perform any public acts of worship. The victorious English, foreseeing that the treaty of peace made their possession precarious, had let everything go to ruin, and, what was worse and less easy to repair, they had sold liquor to the Indians who, in their frenzy, committed several murders. The destitution of the colony affords some excuse for the refusal of the Company of One Hundred Associates to allow the Récollets to return. Its pretext was that the colony was too poor to support mendicant friars. The sad tidings of this determination so affected the Récollet Father Joseph le Caron, the first apostle of the Hurons, that he died of grief on the very day on which the treaty of St Germain was signed.

Champlain, sailing from Dieppe on March 23, 1633, with three ships, bearing two hundred people, and an abundance of arms, provisions and stores of all kinds, arrived safely at Quebec on May 23, a year after the English had left Canada. The joy of its inhabitants and of the Indians was boundless. The Hurons, who had refused to have any dealings with the English, flocked to Quebec as soon as they heard of

PAUL LE JEUNE

*From the painting in the House of the Immaculate Conception, Montreal*





Paul Le Jeune SJ  
1591 - 1664

J Boyes



Champlain's return. One chief said to him : ' You are always the same, you know how to put us in a good humour.' Taught by past reverses, Champlain had prevailed upon the company to exercise care in the choice of immigrants. As the vices of Europeans were the greatest obstacle to the conversion of the savages, he would receive none but families of blameless morality, known for their attachment to the faith. Thanks to his firmness in this respect and to the zeal of the clergy, Quebec soon became noted for its practical piety, and the whole colony was pervaded with a thoroughly Catholic atmosphere.

Immediately after the restoration of Quebec to the French the eyes of fervent Jesuit Fathers were turned towards New France. The treaty of St Germain-en-Laye was signed in March 1632, and about the middle of April Fathers Paul le Jeune and Anne de Nouë set sail from Havre for the New World. On their arrival at Quebec they at once began their work by saying mass in the home of the Héberts, and then took up their abode in the Residence of Notre Dame des Anges, which had suffered serious injury during the period of British occupation. Preparatory work had to be done before a journey could be made to distant fields. In the winter of 1632-33 de Nouë went with a hunting party of Montagnais Indians into the regions north of Quebec. After three weeks in the forest he returned half-starved and broken down by the hardships endured.

When Champlain returned to New France he brought with him four Fathers, Jean de Brébeuf, Ennemond Massé, Antoine Daniel and Davost. These men had set their hearts on the distant and difficult Huron mission where Brébeuf had already laboured for three years. But they were not to get to that field for more than a year. Meanwhile they remained at Quebec, working among the savages who visited the settlement and studying the language of the Western tribes.

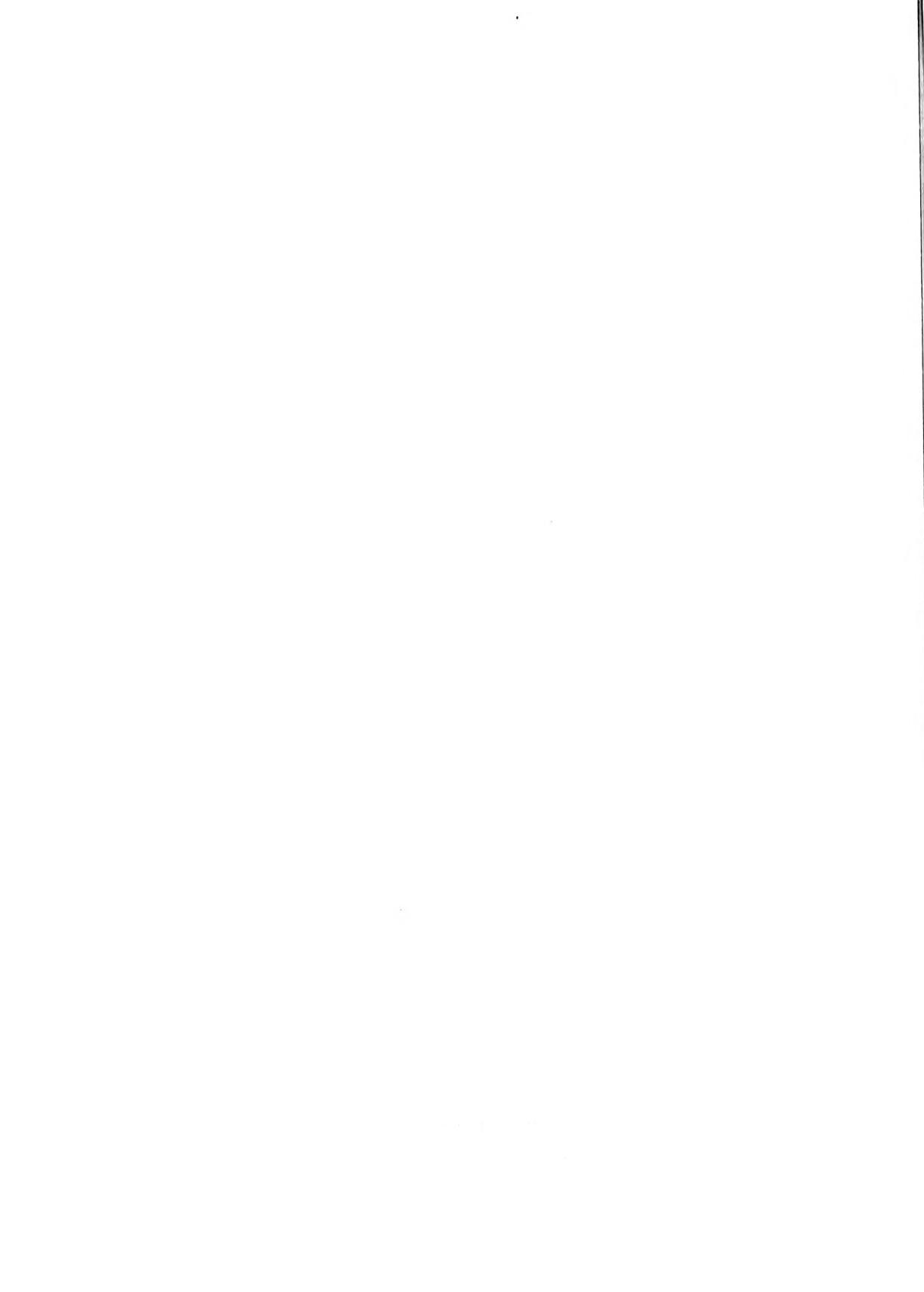
Le Jeune, eager to get an insight into Indian life and character, in the autumn of 1633 joined a band of Indians setting forth on a hunting expedition into the wilderness south of the St Lawrence where the River St John has its

source. For five months he endured cold and hunger, insults and abuse, the indifference of professed converts and the diabolical plottings of a medicine man or sorcerer, who felt that should Le Jeune once get an influence over the Indians his own power would be at an end. In the early spring the missionary returned to Quebec, utterly exhausted, but rich in experience. His winter's work taught him that but little could be done among wandering tribes, that if the savages were ever to be christianized it could only be done by getting them into fixed abodes.

It was not until 1634 that Brébeuf with Daniel and Davost toiled over the nine hundred miles that intervened between Quebec and the home of the Hurons. Brébeuf had previously been stationed at Toanché, but, as this place had meantime been deserted and burned, he went on to Ihonatiria, where the Indians warmly welcomed the man whom, on account of his courage and kindness, they had learned to respect and love. At the beginning the Huron mission promised a rich harvest. The Hurons, numbering at this time it is said between fifteen thousand and thirty thousand, lived for the most part in villages in a narrow radius lying between Lake Simcoe and the River Severn on the east and Nottawassaga Bay on the west. In this region there were in 1639 over thirty populous communities. For five years the missionaries went forth from village to village spiritually struggling with the benighted savages. They vigorously attacked the superstitions and vices of the red men, and gained the friendship of a few but the enmity of many. The medicine men were particularly antagonistic to the new faith and blamed every misfortune that befell the savages to the influence of the 'black robes.' Drought, smallpox, unsuccessful combats with enemies were all, according to them, due to the malign influence of Brébeuf and his comrades. In time they grew to be almost universally hated, and their destruction was decided on. Fearlessly the missionaries went about their daily labours, and when they believed that they were about to be massacred they invited their would-be destroyers to a *festin d'adieu*—a farewell feast given, according to Indian custom, by men expecting death. This exhibition of

JEAN DE BRÉBEUF

*From the painting in the House of the Immovable Church, Quebec.*<sup>2</sup>





Jean de Brébeuf S.J.  
1593 - 1649

J Bayes



courage saved the mission and increased the usefulness of the fathers.

Meanwhile the missionary band had been greatly augmented. Such pious and dauntless characters as Isaac Jogues, Paul Ragueneau, Gabriel Lalemant, Charles Garnier, François Joseph le Mercier, Pierre Châtelain and Pierre Pijart were in the field, and mission stations had sprung up at St Jean Baptiste, St Ignace, St Louis, La Conception, St Joseph, St Michael and elsewhere. It was felt that to secure the best results a central station should be established in the Huron country—a safe retreat to which the fathers could return in times of calamity or sickness, and from which the entire mission could be regulated. As a consequence, in 1640, Ste Marie was founded on a small stream now known as the River Wye. Here a strong fort was built, and for nine years Ste Marie was the headquarters of the missionaries.

The fathers did not limit themselves to labours among the Hurons. Efforts were made to convert the neighbouring Tobacco Nation and the Neutrals, but at first with little success. Until 1649 the work was continued, and soon the whole Huron race had heard the Christian message. As a result of the influence of the Jesuits, the Indians began to lead a less nomadic life and to study the art of agriculture. After fifteen years of labour the signs of the time were hopeful, but a cloud was rising on the horizon. The Iroquois were on the war-path with the fixed determination of utterly destroying the Hurons. These courageous and merciless warriors had long haunted the trade routes of the Ottawa and St Lawrence and picked off unwary voyagers, but in 1648 they boldly advanced in force into the Huron country. The mission of St Joseph was the first community to feel their ruthless power. There the devout, scholarly, and resolute Father Daniel fell, and his flock to the number of nearly seven hundred were slain or captured. In the following year twelve hundred Iroquois advanced against the Ste Marie mission. The first village attacked was St Ignace. From it these human tigers rushed to St Louis where were the soldierly Brébeuf and the gentle Lalemant. St Louis was quickly captured and

Brébeuf and Lalemant were borne back to St Ignace, where they suffered unspeakable tortures, but to the end continued to minister to their flock, and left to them the imperishable memory of a most heroic martyrdom. St Ignace and St Louis were given to the flames, and as the fathers and their helpers stationed at Ste Marie witnessed the conflagration they realized that the end of their labours in this region was not far distant. However, Ste Marie was not attacked. The Iroquois, glutted with blood and laden with plunder, seemed for the time being satisfied with the annihilation of St Ignace and St Louis.

Panic seized the Hurons. Their utter destruction as a nation seemed inevitable. They had no thought of defence, but looked about for a safe retreat from their insatiable foes. At first it was decided to move to Manitoulin Island, but later the Jesuits and their flocks crossed to Isle St Joseph (Christian Island), where there were soon gathered together between six thousand and eight thousand terrified savages. Starvation, disease, and prowling bands of Iroquois played havoc with their ranks, and by the following summer scarcely half of them survived. In the previous autumn Father Charles Garnier was at St Jean or Etarita in the Tobacco Nation. The Iroquois fell upon this place and Garnier was slain in the midst of his flock. He was a man whose singularly saintly character was admired by his self-denying brother missionaries.

It was hopeless to continue the Huron mission, and the fathers determined to do what they could to save the starved remnants of their flock. It was therefore decided to return to civilization and to take with them at least a portion of their converts to the comparative safety of Montreal and Quebec. About three hundred Christian Hurons accompanied the Jesuits down the Ottawa route and found shelter first on the Island of Orleans, then at Ste Foy and later at Lorette, but even within sound of the guns of the fortress of Quebec the Iroquois pursued them. Many of the Hurons who remained in the lake region moved to Manitoulin Island. Some settled along Lake Superior, and others wandered as far west as the Mississippi. Thus it was that the most populous and civilized Indian tribe of America ceased to be a

nation. The Huron mission after over twenty-six years of energetic effort seemed a hopeless failure, but good seed had been sown, and the Hurons scattered broadcast over the lake region carried with them the lessons inculcated by the fathers. Wherever there was a Huron the 'black robes' received a kindly welcome.

During this period the work of the Jesuits had not been limited to the Huron country. Fathers Jogues and Garnier had in 1639 made a noble but fruitless effort to carry Christianity to the Tobacco Nation at the head of Nottawassaga Bay. Brébeuf and others had visited the Neutral Nation in the Niagara peninsula. Jogues and Charles Raymbault had made a trip to Sault Ste Marie in 1641 and there preached the faith to two thousand Ojibways and other Algonquins. In 1642, while journeying from Three Rivers to the Huron country with supplies for the mission, Jogues was captured on Lake St Peter by Mohawks and taken to their country, where he was brutally tortured. He managed to escape by way of Manhattan (New York) and finally reached France. He returned to Canada and was sent on a peace mission to the Mohawks, and later in 1646 went to minister to these fierce enemies of the French. He went to his labours with the words, *Ibo et non redibo*—I shall go and I shall not return. He was a true prophet, for on October 16 he received a martyr's crown. The death of Jogues seemed to stir the hatred of the Five Nations against the French and their allies to the highest point, and from that moment they ceased not until the Huron nation was utterly destroyed. Later efforts were made by Fathers Simon le Moyne, Joseph Chaumonot, and Dablon to plant a mission among the Onondagas, but without success. Only by stratagem did the priests, settlers, and small garrison sent to the Onondaga country escape with their lives.

In the east the tribes were not neglected. From the Residence at Quebec devoted men following in the footsteps of de Nouë and Le Jeune laboured among the savages in the wilderness of Maine and New Brunswick and in the region about Tadoussac. In this great and fruitful field Father Gabriel Druillettes did splendid work.

From a merely temporal point of view the Jesuit missions in Huronia were a failure. This is the only view-point that unsympathetic men like Parkman can choose. They extol the Jesuits' achievements and make them live again in peerless phrase, while all the time attributing them to motives that are ridiculously inadequate. If human glory were all that the Huron missionaries sought, they did indeed obtain it through martyrdom. Brébeuf, Lalemant, Daniel, Garnier, Garreau, Buteux, Chabanel had all been slain and many lay brothers had fallen victims. Others, such as Châtelain, Chaumonot and Bressani, had suffered tortures worse than death. But they were trained to despise human glory as unsatisfactory and ephemeral, and to seek only the beatifying glory of God. From this view-point the Huron missions were not a failure. Very many children and adults were baptized before death during the sixteen years of Jesuit labours in Huronia. Many Huron braves and squaws became sincere converts and died truly Christian deaths during the three years immediately preceding the total dispersion of the nation. These results are eternal. Deathless, too, is the vitalizing example of the apostles who died for the love of Christ. 'The blood of martyrs is the seed of Christians.'

Father le Jeune, in his *Relation* of 1651, made a strong appeal to the king : 'A troop of savages . . . has reduced New France to extremity. May it please you, Sire, listen to her broken voice, and her last words.' The state of affairs was a desperate one, and the worst of it was that it might have been avoided. A comparatively small, well-disciplined force of soldiers could have saved the great Huron nation and kept back the Iroquois scourge from New France. The appeal of Le Jeune was at length heeded, and when the Carignan-Salières regiment arrived in Canada the energetic action of de Tracy gave the Jesuits an opportunity of extending their labours north and west and even into the haunts of the Five Nations.

## IV

GROWTH OF QUEBEC AND BEGINNINGS OF  
MONTREAL

FRANCE neglected the missionaries, her most powerful auxiliaries, and the governors of Canada could do but little to stop the Iroquois raids that sapped the very life of the colony ; for the governors, however praiseworthy their intentions, had very little power. Before 1640 there were not more than two hundred French settlers in the entire colony. The governor had only three or four hundred soldiers to defend Quebec, Tadoussac and Three Rivers. Richelieu, the devoted and mighty protector of Canada, died in 1642, just when his help was most needed. What could any governor do against the Iroquois, whose ten war-parties, each of several hundred men, distributed themselves in ambush near all the dangerous places, scoured the whole country, and carried off workmen under the very walls of Quebec ?

Champlain's successor, Montmagny, whom the Indians called Onontio, 'the big mountain,' the king of France being the Great Onontio, was a man with the best intentions. He aimed at frightening the Iroquois into a friendly attitude, but he could not have succeeded had not religion come to his aid. France was then the scene of a wonderful revival of fervour among Catholics. Many pious and influential persons became vitally interested in the missions of the Jesuits, and enabled these missionaries to carry out two undertakings which saved the colony from ruin. The first was the founding, near Quebec, of a village of Indians converted to Christianity and willing to submit to European civilization ; the second was the bringing out, for the service of the sick and the welfare of the child, of the first nuns that appeared in the regions of North America not under Spanish rule.

St Vincent de Paul, whose name is a world-wide synonym for charity, by the founding of his Daughters of Charity—now commonly called Sisters of Charity—was just then boldly creating a new type of womanly asceticism, the cloisterless

nun. The Jesuits imitated him from a distance by inviting zealous women to brave the perils of the deep in order to tend the sick and instruct Indian girls.

The Chevalier de Sillery responded to the Jesuits' appeal by sending out, in 1637, twenty skilled workmen and funds to build the village that still bears his name. This settlement was founded for Algonquin and Montagnais converts. Father le Jeune chose the site on the river bank, four miles above Quebec. Sillery soon became a populous village.

Indian converts flocked thither, set to work tilling the soil, and adopted civilized customs. Their intercourse with the whites was most beneficial, because all the citizens of Quebec were now practical Christians. Devoted women undertook works of mercy, that made a deeper impression on the savage mind than the troops and cannons of the king. The Duchesse d'Aiguillon, Cardinal Richelieu's niece, founded at Quebec a hospital which she entrusted, in 1638, to three Augustinian nuns from Dieppe.

A teaching order of women was more difficult to secure at a period when this form of apostolate was as yet confined chiefly to the old monasteries. But God inspired a young and rich widow, Madame de la Peltrie, to consecrate her fortune and her person to the foundation of the Ursuline Convent of Quebec. Learning that an Ursuline nun of Tours, Marie de l'Incarnation, had long had a desire to teach the Canadian girls, she went to Tours on purpose to see and consult with a woman so providentially prepared to co-operate with herself. These two kindred spirits at once understood each other, although Madame de la Peltrie's most sanguine hopes at their first meeting could hardly have equalled the reality of Mother Marie de l'Incarnation's incomparable influence on the religious history of Canada. The latter gradually proved herself to possess one of those rare combinations of genius, shrewdness and ecstatic contemplation, which had hitherto seemed to have attained an unparalleled excellence in St Teresa alone.

On May 4, 1639, Marie de l'Incarnation and two other Ursulines, accompanied by Madame de la Peltrie and the three Augustinian nuns, set sail from Dieppe in the same

vessel as Father Vimont, the new superior of the Jesuits in Canada. The voyage was long and dangerous, the ship narrowly escaping collision with an enormous iceberg, but ended happily on August 1. With a view to giving the Indians a high idea of the noble mission of these devoted women, the governor received them at the head of his troops, with a salvo of artillery, and solemnly conducted them to the church, where all the people joined in a joyous *Te Deum*.

The Island of Hochelaga (Montreal), the site of which, at the confluence of the St Lawrence and Ottawa Rivers, with its fertile soil had seemed so advantageous to Jacques Cartier a hundred years before, was still occupied by the Indians, when a description of its advantages fell into the hands of Le Royer de la Dauversière, a man of eminent virtue and great benefactions. He immediately conceived the project of founding there a settlement consecrated to the Blessed Virgin. Persuading the Baron de Fancamp, a wealthy and charitable nobleman, to join in this undertaking, he went with him to Paris with a view to forming a society for that purpose. There they met Abbé Olier, the great reformer of the secular clergy, who was soon to found the famous Seminary of St Sulpice. He warmly espoused this plan and immediately organized the nucleus of the society. The Island of Montreal, as it was then called, had been conceded by the Company of One Hundred Associates to de Lauzon, who had at first refused to sell it to La Dauversière. But the latter appealed to the Jesuit Father Charles Lalemant, who, fully aware of the importance of this project for the future of Canada, succeeded in obtaining from de Lauzon, in the beginning of August 1640, a deed by which he made over to de Fancamp and La Dauversière all his rights to the Island of Montreal. Religion was so thoroughly the principal motive of this foundation that all the members of the 'Society of Our Lady of Montreal' received Holy Communion at the Church of Notre Dame in Paris in February 1642, and on August 16 of the same year the new residence on the St Lawrence was called Ville Marie.

Meanwhile, quite unaware of what was happening near

him, Paul de Chomedy, Sieur de Maisonneuve, a true Galahad in that period of revived and improved chivalry, asked Father Lalemant how he could consecrate his sword to the church in Canada. The Jesuit, who had just learnt how much the Associates 'needed a soldier-governor to take charge of their forty men,' saw at a glance that here was the very man, and earnestly recommended him to La Dauversière. Maisonneuve, on his part, saying that his private means were sufficient for his needs, freely offered his military experience and even his life for the glory of God and the service of the king.

The Associates had already, in the spring of 1641, sent to Father le Jeune in Quebec tools and provisions to be held in trust till the arrival of the party. They had also got together some thirty or forty sturdy men able to wield warlike weapons as well as agricultural implements. But they still needed a valiant woman to nurse the sick and see to the proper distribution of rations and stores. How could they find one virtuous and brave enough to be the lonely pioneer of her civilized sex in this new region of Montreal? Here again Providence shaped their ends.

Jeanne Mance, from Langres in Champagne, had long felt a desire to devote herself to the service of God in Canada. Going to Paris to consult Father Lalemant, who approved of her resolution, she was invited by Madame de Bullion, a rich and charitable widow, to take charge of a hospital she meant to endow in the future Montreal. Jeanne Mance accepted this as her life's work and, at La Dauversière's request, directly entered upon her duties as general nurse and house-keeper. Two ships sailed from La Rochelle, one with Maisonneuve, a secular priest, and twenty-five men, another with Mademoiselle Mance, Father de la Place, and twelve men. A third ship sailed from Dieppe with ten men and three women. Maisonneuve's ship arrived at Quebec on August 25, long after the two others. Governor Montmagny, influenced by certain local grumbler who objected to this proposed scattering of French settlers as dangerous, and who maintained that all new arrivals should remain at Quebec, expostulated with Maisonneuve and suggested

instead a settlement on the Island of Orleans. But Maisonneuve replied :

What you suggest would be good if I had been sent here to deliberate and choose, but as the Society that sends me has determined upon my going on to Montreal, my honour, as you will doubtless agree, requires me to begin a settlement there, even if every tree in that island were to be changed into an Iroquois. But, the season being already far advanced, I will merely reconnoitre the post before winter with the most active of my men and view the place where I will camp with all my people next spring.

This answer so fully satisfied Montmagny that he himself, with Father Vimont, accompanied Maisonneuve up the river, and on October 15, 1641, they took formal possession of the island in the name of the Company of Montreal, and returned to winter in Quebec.

On May 8, 1642, Maisonneuve and his party sailed from Sillery in a pinnace and a lighter, and reached the coveted island on the 18th of the same month. On the riverside they all heard, with great devotion, the first mass on the site of the present city of Montreal celebrated by Father Vimont. The few words he then said to the doughty pioneers have become historic : ' You are a grain of mustard-seed that shall rise and grow till its branches overshadow the earth. You are few, but your work is the work of God. His smile is upon you and your children shall fill the land.' Thus it is that the foundation of Montreal is dated May 18, 1642. The metropolis of Canada, with over half a million inhabitants, a centre of education, religious light, trade and industry, is the realization of Father Vimont's prophetic words.

Until the close of the seventeenth century Montreal, or Ville Marie as it was christened in 1642, had a hard struggle for life. The Iroquois became aware of its existence in 1643, and for over a quarter of a century the inhabitants dared not venture unarmed outside the palisades, and the workmen went to the fields musket in hand. Even the priests at times went to their duty sword at side.

Maisonneuve for twenty-two years was the soul of the

place. Devout and courageous, he kept the colony together when the Iroquois threatened to destroy it, and when through lack of funds its abandonment seemed inevitable.

A crowning glory of Ville Marie was the work done by the noble women who helped cradle it to a sturdy life. Mademoiselle Mance was accompanied to Montreal by Madame de la Peltre, who for a brief period aided in charitable work. A hospital was established in 1643, and the nuns, through the Iroquois raids, had soon abundant work to do. In 1653 Marguerite Bourgeoys arrived in Quebec and at once proceeded to Montreal. The 'Congregation of the Sisters of Notre Dame' was founded and placed under her direction. The first school was established in a stable. Through the years the influence of this institution has spread until its branches are now in many important centres in Canada and the United States. As our Lord was cradled in a manger, so this important educational movement had its beginning in a stable. Mademoiselle Mance in her noble hospital work was assisted by such devout women as Sisters Morin, Brésoles, Maillet and Macé; while the venerable Sister Bourgeoys was ably helped by Sisters Aimée Chatel, Catherine Crolo, Marie Raisin and others. Canada owes much to this band of noble, self-sacrificing women.

Priests and nuns had devoted lay helpers. Maisonneuve ever sustained them in their work. A humble labourer named Jouaneaux consecrated his life to the service of the hospital sisters. Sergeant-major Closse, who on one occasion remarked, 'I came here only to die in the service of God,' turned destruction aside from the community on many occasions by his devotion and courage, and at length gave his life gallantly guarding the gates of the town. Then there were Adam Daulac or Dollard, Sieur des Ormeaux, and his sixteen brave youths, the flower of the colony, who at the Sault on the Ottawa for days held in check the Iroquois when coming down in overwhelming force to destroy Ville Marie. All perished, but this Canadian Thermopylae turned the tide of war. How thoroughly the religious spirit animated Ville Marie was shown in 1661, when Maisonneuve formed the inhabitants into a military fraternity called 'Soldiers of the Holy Family of Jesus, Mary and Joseph.'

In time the Sulpicians, who had had so much to do with the founding of Ville Marie, gained the ascendancy in the religious life of the community. In 1657 four members of St Sulpice—de Queylus, Souart, Galinée and d'Allet—were sent by Abbé Olier to found a seminary at Montreal and to take charge of the island. By this time the Company of Montreal had become weary of its work. Only five of the original members were left, and in 1663 the island was made over to the Sulpicians, who assumed the liabilities of the company and undertook to look after the interests of education both of young priests and young girls, and to support a hospital for the care of the sick. Their powers were at first limited to spiritual matters, but in 1667 the Seminary of St Sulpice was given judicial rights over the community.

The Sulpicians, during the first years of their incumbency, were necessarily engrossed in local ministrations. Most of their work was done in the immediate vicinity of the island, but even there Le Maître and Vignal gave their lives for the faith. Later on several members of the order, such as Dollier de Casson and Galinée, won a high reputation as explorers and missionaries.

The enthusiasm of Maisonneuve, Jeanne Mance and Marguerite Bourgeoys, the heroism of Closse and Dollard, the munificence of de Fancamp and Madame de Bullion, and the devotion of the Sulpicians were not in vain, and by the close of the seventeenth century Montreal was freed from dread of the savages and in a position to become what she is to-day, the chief centre of Catholic education and religion in the British half of the North American continent. Truly 'the grain of mustard-seed' has had a wonderful growth.

## V

## THE FIRST BISHOP OF QUEBEC

SINCE the foundation of Montreal the Jesuits had had spiritual charge of the inhabitants; but, as these priests were intended chiefly for the Indian missions, which were constantly multiplying and developing, Maisonneuve

feared that they might not be able to continue their ministry in his little settlement. He remembered, too, that Abbé Olier had manifested his desire to send to Montreal some priests of his Society of St Sulpice. In 1656, therefore, he went to Paris to induce Abbé Olier to carry out that desire. The latter, who had in vain wished to live in Montreal and labour there, and who was one of the principal benefactors of that settlement, gladly consented and chose for Ville Marie four of his clergy, three priests and a deacon, appointing as their superior Gabriel de Queylus, Abbot of Loc-Dieu. This was one of Abbé Olier's last acts, for he died before these fervent and willing missionaries left the shores of France with Maisonneuve in the spring of 1657.

It seems that the Assembly of the French Clergy had intended to make de Queylus a bishop; but, as this intention could not be realized then, he came with the faculties of a vicar-general, granted to him by the Archbishop of Rouen, who had previously appointed the superior of the Jesuits at Quebec his vicar-general for New France. Father Poncet, who was then acting parish priest of Quebec, handed over the keys of the parish church to de Queylus, who, after visiting Montreal to install his companions there, took up his residence at Quebec.

In the autumn of that same year, 1657, he chose the site of a new Church of Ste Anne de Beaupré, made necessary by the threatened collapse of the original shrine built a few years before. The new church was opened for worship in 1660 and became more and more frequented by devoted pilgrims. Few of the tens of thousands who in our time forgather from all parts of the continent at Ste Anne de Beaupré are aware that this spot was visited by pious suppliants more than two and a half centuries ago, when the twenty-one mile walk from the Quebec fort was fraught with danger from lurking Iroquois.

On July 11, 1658, d'Argenson, who had been appointed governor more than a year before, landed at Quebec, bringing letters from the Archbishop of Rouen, who made the Jesuit superior vicar-general at Quebec and de Queylus vicar-

general at Montreal. The latter accordingly withdrew to Ville Marie. The hospital there, as we have seen, was conducted by Jeanne Mance, who was about to visit France in order to secure as helpers some Sisters of St Joseph, a community established at La Flèche by La Dauversière. De Queylus, admiring the good work done at Quebec by the hospital nuns, and thinking that it was not advisable to multiply religious orders in so poor a colony, got two of the Quebec nuns to go up to Montreal with the hope that Mademoiselle Mance would confide the hospital to them during her absence. But he was not aware, as Maisonneuve was, that she had made arrangements, during Abbé Olier's lifetime, with La Dauversière, who had engaged to provide Sisters of St Joseph. As Mademoiselle Mance could not break this contract, she, while kindly welcoming the Quebec nuns, left her hospital in other hands.

She started for France with Marguerite Bourgeoys, who, having come to Montreal in 1653, was returning home for helpers and means to found a teaching order. Parkman says that Marguerite Bourgeoys' 'qualities were those of good sense, conscientiousness, and a warm heart.' Her most recent biographer introduces her as 'a valiant woman with a well-balanced mind, an extraordinary but quiet force of character, an energizing faith, a deep humility, and a burning love of God and of her neighbour.'<sup>1</sup>

The new governor, d'Argenson, carefully studied the resources and needs of the colony and the character of the colonists. In one of his official letters he bears witness to the purity of their morals. This he helped to maintain by sending back to France a dissolute woman who had been allowed to take passage for Canada at La Rochelle, and by inflicting on the owner of the vessel a fine and the cost of the deportation. Boucher, governor of Three Rivers, in corroboration of this testimony, says that in his time great care was taken to keep such women out of the colony.

'As early as 1647,' writes A. Leblond de Brumath in *Bishop Laval*, 'the King [i.e., of course, the queen-regent,

<sup>1</sup> *The Life and Times of Marguerite Bourgeoys*, by Margaret Mary Drummond. Preface, p. 1. Boston, 1907.

Louis XIV being then only nine years old] foresaw the coming creation of a bishopric in New France, for he constituted the Upper Council composed "of the Governor of Quebec, the Governor of Montreal, and the Superior of the Jesuits, *until there should be a bishop.*" As has already been noted, Abbé de Queylus was thought of for this dignity ; but owing to some differences of opinion that arose, during his sojourn at Quebec, between himself and the Jesuits, who then formed the majority of the clergy in Canada, Anne of Austria, queen-regent, who had offered the mitre to Father le Jeune, applied once more to the Jesuits, who, declining the honour for themselves, recommended Abbé de Montigny, as François de Laval-Montmorency was then known.

He belonged to a younger branch of the famous Montmorency family, and was born at Montigny-sur-Avre in what is now the department of Eure-et-Loir, on April 30, 1623. He inherited the name and patrimony of Montigny ; hence his designation as Abbé de Montigny. He went through his classical course under the Jesuits at La Flèche, and afterwards studied philosophy and theology with the same masters at the Collège de Clermont in Paris. His father having been beheaded in 1636, the death of his two elder brothers on the battlefields of Freiburg and Nördlingen, some eight years later, left him head of the Laval family. His mother, supported by his cousin the Bishop of Evreux, begged him to forsake the ecclesiastical career and to marry, in order to restore the fallen fortunes of his house. He quietly but firmly refused, and made over to his younger brother Jean Louis his rights of primogeniture and his seigniory of Montigny and Montbeaudry. On September 23, 1647, he said his first mass in Paris, and spent the following eleven years partly in the active ministry and partly in the companionship of clerics and laymen of remarkable holiness of life. When the Jesuits proposed his name for the Canadian see, they suggested, with his full approval, that he should be appointed vicar-apostolic, with a title taken from one of those ancient sees the bishops of which had been either killed or expelled by heathen or Mohammedan invaders ; for they thought that the church in Canada was as yet too feebly organized to

receive a regular Bishop of Quebec. This suggestion was accepted, and on June 3, 1658, Pope Alexander VII appointed Monseigneur de Laval Bishop of Petræa *in partibus infidelium*, and Vicar Apostolic of New France. He received episcopal consecration on December 8, 1658, from the papal nuncio, assisted by two other bishops, in the Church of St Germain-des-Prés at Paris. This church was chosen because it was independent of the Archbishops of Paris and Rouen, the latter of whom deemed his jurisdiction established in Canada. A number of his spiritual subjects had settled there, and some of them occasionally appealed to him for the settlement of difficulties. The Holy See, after tolerating this irregular jurisdiction for a time, now put an end to it by appointing a vicar-apostolic whose powers came direct from the pope.

Laval landed at Quebec on June 16, 1659. His arrival gave great joy; but, as it was unexpected, no preparations had been made to receive him. However, having been accompanied on his journey by Father Jerome Lalemant, he naturally took up his temporary residence with the Jesuits. Considering that the title and authority of vicars-apostolic were then very little known in France, where the canonical institution of bishops attached to local and well-known sees dated from the first centuries of the Christian era, it is not surprising that even the religious communities of nuns were perplexed as to the rival claims of the Jesuit and Sulpician vicars-general. This perplexity was removed by letters from the king, commanding that the authority of the Bishop of Petræa be alone recognized. The two vicars-general obeyed, and de Queylus came to Quebec and preached a sermon affirming the paramount claims of the bishop.

But complications arose when a ship, arriving on September 7, brought to de Queylus a fresh appointment as vicar-general from the Archbishop of Rouen, with copies of His Grace's protests at court against the vicar-apostolic, and letters from the king that seemed to confirm them. All this cast doubts on the supremacy of Laval's powers. However, de Queylus made no public declaration and returned to France the very next month.

Bishop de Laval then ordered all secular priests in Canada to sign a paper disavowing any other jurisdiction and submitting to his alone. All, including the Sulpicians at Montreal, signed this document. Unfortunately, two years later de Queylus returned with important letters from the Dataria, the office in the papal court whence are expedited special permissions having effects cognizable *in foro externo*. These letters placed him in possession of the parish of Montreal. In spite of a formal prohibition by Bishop de Laval, he undertook to proceed, in what he thought was the strength of his right, to Montreal. The bishop suspended him and the governor ordered him to return to France. Finally, the Holy See settled the question by bestowing on the Bishop of Peträa sole jurisdiction throughout the whole of Canada. When all dissensions had been removed de Queylus returned in 1668 to Ville Marie, where the people, mindful of his munificent benefactions to them, gladly welcomed him, while Laval, whose only aim was justice, appointed de Queylus his vicar-general at Montreal.

In 1670 the intendant Talon brought with him from France Father Allard, superior of the Récollets in the Province of St Denis, and four other fathers of the same order. Although Laval had not been consulted about the return of the Récollets, he received them with great benevolence, furnished them for more than a year with food and lodging, and gave them four missions—Three Rivers, Ile-Percée, St John's River and Fort Frontenac.

On October 1, 1674, Pope Clement x signed the bulls establishing the diocese of Quebec, which was to extend over all the French possessions in North America. Of this vast dominion Laval was appointed bishop. In the conduct of the bishopric he never spared himself. To widely scattered missions he journeyed in canoes and on snow-shoes, visited the humble homes of habitants and the filthy wigwams of the savages.

He had a most beneficent influence on the spiritual and material life of the colony. From the moment of his arrival in New France he fought aggressively in the interests of the inhabitants and the church. It was largely due to him that

the Sovereign Council was reorganized in 1663. As Abbé Gosselin truly says, he was during his term of office 'the soul and life of this Council.' The Indians were his peculiar care. He saw the havoc wrought among them by the iniquitous liquor traffic and strenuously battled against the evil. As a result he won the inveterate hatred of the fur traders and was led into quarrels with the governors, d'Avaugour, de Mézy and Frontenac.

His greatest work, however, was strictly educational. He founded the Seminary of Quebec and the minor seminary, and likewise a farm-school. The seminary was established as an institution in which, to use Laval's own words, 'There shall be educated and trained such young clerics as may appear fit for the service of God. . . . We desire it to be a perpetual school of virtue, and a place of training, whence we may derive pious and capable recruits.' The seminary was founded in 1663, and the minor seminary in 1668. The latter was designed to give elementary education to youths destined to ecclesiastical life. It began its work with eight French pupils and six Huron children.

One of the last and most important acts of Laval was the establishment of a chapter at Quebec. This chapter was created by an ordinance of November 6, 1684. It was composed of twelve canons and four chaplains. Among the former were four priests born in New France. The event was a noteworthy one, and not only the inhabitants of Quebec but many from the surrounding country attended the ceremony. This was celebrated with the 'boom of artillery and the joyful sound of bells and music.' Civilians, soldiers, officers, the intendant and the governor all joined in doing honour to the great occasion. Laval prepared an admirable constitution for the chapter, a constitution which was immediately adopted. This great and far-reaching work completed, the bishop at once set sail for France.

Laval, by his evangelical work, drew closer together the different religious bodies and the secular clergy of Canada until they were all 'of one heart and one mind.' His life was austere. He sacrificed his income to his seminary and lived in poverty. He set those over whom he ruled

an example of energy, purity of life and self-sacrifice. He loved New France and its inhabitants, white and red, and when he resigned office in 1688 he could not keep away from the St Lawrence. For twenty years longer he lived in the colony, and by precept and practice had an ennobling influence on the life of the community. Champlain, Frontenac and Montcalm wrought and fought valiantly to build up a material kingdom ; Bishop de Laval sought to establish a spiritual empire. The work of the warriors has perished, but the labours of the godly bishop no army could destroy, and his educational and religious influence still lives and grows.

## VI

## MONSEIGNEUR DE SAINT-VALLIER

**W**HEN, in 1684, Laval resolved upon resigning his bishopric on account of increasing infirmities—a resolution which turned out to be singularly unprophetic, as he lived twenty-four years more of a highly useful life—he took every precaution to make sure of a competent successor. He charged Abbé Dudouyt, his agent in France, to make the necessary inquiries. The latter reported frankly and fully that the Jesuit Father le Valois, whom he had consulted, recommended the king's chaplain, Abbé de Saint-Vallier, as a man of high birth, considerable wealth and most exemplary life, who had already refused more than one French mitre. Tronson, the illustrious Sulpician superior, whom Dudouyt also consulted, agreed with him that Saint-Vallier was young, inexperienced, overzealous and somewhat too austere. To these objections Father le Valois replied that the candidate, aware of his own defects, was trying to correct them, and had himself proposed that he should have a council of wiser persons, whose advice he would follow, and that he intended to remain a mere coadjutor so long as Laval was alive.

Satisfied with this report, the Bishop of Quebec sailed, in the autumn of 1684, for France and persuaded the king to









consent to the nomination of a new bishop. But, as the serious quarrel between the pope and Louis XIV prevented the immediate issue of a bull, it was decided that, while Laval remained in France to urge the matter at the court of Rome, Saint-Vallier should go to Canada as vicar-general and visit his future diocese. This he did, arriving at Quebec on July 30, 1685. He was then in the thirty-second year of his age. At first he was very favourably impressed with everything he saw. At that time the principal public edifices were the Château St Louis, the Seminary, the Ursuline Convent, the large Jesuit College facing the Cathedral, and the Récollet Friary, then called Notre Dame des Anges, in which were fifteen friars. The town then contained 127 houses. In the whole of New France there were 10,725 natives of France and Canadian-born whites.

Witnessing the prosperity of the country and the great good wrought by religion, he attributed this happy result to the enterprise and zeal of Laval, whose administration he reviewed with the highest praise. In Quebec he was greatly pleased with the cathedral chapter and its twelve canons; with the Superior of the Jesuits, Father Dablon and all his missionaries; with the edifying labours of the Récollets; with the fervour of the Ursulines and the hospital sisters; but especially with the priests of the seminary, whose virtues so attracted him that he gave up all his personal property, even his library, to their common fund.

Shortly after his arrival he visited the parishes of Beaupré and the Island of Orleans, and afterwards went to Montreal, where he admired the priestly behaviour and parochial activity of the Sulpicians; the hospital conducted by a score of sisters, many of whom had come from France; the Sisters of the Congregation, who, besides the work of teaching girls in their various schools, had already trained several school-mistresses then teaching in outlying parishes. On his way back from Montreal Saint-Vallier visited the parishes on both sides of the St Lawrence, especially the important post of Three Rivers; nor did his burning zeal let him long remain in Quebec. Beginning with the parishes from Pointe-

Lévis to Rivière-du-Loup, he pressed on, with two priests and five guides, on a journey of nearly six hundred miles to Acadia, stopping wherever he found Christians, whether whites or redskins—at Miramichi, Richibucto, Beaubassin, Minas, Port Royal, Ile-Percée—a rather novel experience for a priest fresh from the French court. But he was no weakling, he was indefatigable and fearless, nay, as will be seen later, obstinate and impetuous. Whenever he undertook anything, obstacles were of no account. Having power to administer the sacrament of confirmation, he did so with lasting fruit to the recipients, and all bystanders were heartened by his eloquent words. During this memorable visit to Acadia he gave valuable instructions to the Récollet missionaries at Ile-Percée and to Abbé Thury, vicar-general for all Acadia, and wrote to the settlers at Minas and Beaubassin encouraging them to build churches.

Almost immediately after his return to Quebec the burning of the Ursuline Convent, on October 20, 1686, left him no time to rest from the fatigues of his four months' journey. He organized collections from clergy and laity for the relief of the nuns who had lost their all, and he appealed to wealthy friends in France. Although he found the inhabitants of the colony generally devout and charitable, he thought it necessary to point out in two pastoral letters certain dangerous tendencies in balls, dances, comedies and immodest fashions of dress. He did not even hesitate to remind the governor, the Marquis de Denonville, and his lady of the good example they should set their people.

Then it was time for Saint-Vallier to return to France. He sailed on November 18, 1686, and after a long and stormy voyage, beset with many dangers, he reached La Rochelle on January 1, 1687. During his stay in Paris he published a monograph on *The Present State of the Church and the French Colony of New France*, which produced an excellent impression at court. The admiration he manifested therein for what he had seen in his diocese was in painful contrast with his subsequent upsetting of established institutions. The Quebec clergy, accustomed to the paternal and wise rule of Laval, remarked in his successor an un-

fortunate tendency to change everything and to manage all things by himself. Although he was only vicar-general, he made new regulations, even in the Quebec Seminary, where he resided, and thus enabled clear-sighted people to foresee the troubles of his laborious and vexatious episcopate. These forebodings were communicated by letter to Laval in France. Efforts were made to have somebody else appointed Bishop of Quebec, but in vain ; for, when the king offered a French bishopric to Saint-Vallier, he peremptorily refused, and insisted that his bulls for the see of Quebec should be obtained in Rome.

They were dispatched on July 27, 1687, and, the former bishop having resigned on January 24, 1688, his successor was consecrated on the following day, the feast of the Conversion of St Paul, in the church of St Sulpice, Paris, by Monseigneur Jacques Nicholas Colbert, coadjutor of the Archbishop of Rouen. Saint-Vallier would doubtless have preferred that his predecessor should not return to Canada, but a letter he received from the Marquis de Denonville, governor of New France, informing him that the colony would be displeased if he returned alone, determined him to add his entreaties to those of others pleading that the king would allow the venerable bishop to return. The permission was granted, and Laval landed in his beloved Quebec on June 3, 1688.

Monseigneur de Saint-Vallier remained in France to procure material assistance for his diocese. His family loaded him with valuable gifts. Religious communities and ladies of the court furnished ample supplies of altar linen, vestments and sacred vessels. The Grand Monarque himself was munificent towards the Church of Quebec. Two years before he had made over the abbey of Lestrees to the bishop and chapter of Quebec, and had given to the bishop-elect a site in the Lower Town, 1500 livres for the building of a church, 4500 livres for the completion of the cathedral, 3000 livres for divers churches and presbyteries, and 8000 livres for establishing new pastors in parishes. This last donation, which was to be annual, added to the 6000 livres accruing from tithes, allowed of the erection of thirty-six regular parishes, instead

of the twenty that existed in 1685. But now the king added 2000 livres for infirm seminary priests, 1200 livres for the four missionaries in Acadia, 300 for drugs for the poor, 400 for a teacher in the Jesuit College, and 1500, payable in three years, to aid in the construction of an episcopal residence. Thus, at a time when the Quebec church was in need of help from the king, Saint-Vallier's family and court influence was invaluable.

On his arrival at Quebec, August 1, 1688, he was welcomed with great solemnity by the clergy and the citizens. According to the etiquette of the day, Laval boarded the ship and saluted his successor. When the civil and military authorities and the people had assembled on the quay, Saint-Vallier received addresses from de Bernières in the name of the clergy and from the mayor in the name of the city; a procession was formed and the new bishop was conducted to the cathedral between two lines of musketeers firing volleys all along the route. For the next two months he resided at the seminary with his venerable predecessor, both leading in all the pious exercises of the chapter and the humble duties of a poor household.

After this began his active career. He set to work building churches and presbyteries, appointing parish priests where they were most needed, distributing among the poorest churches the many vestments and sacred vessels he had brought from France, visiting not only all the religious communities but every family in his episcopal city. Soon he went to Montreal, where he followed the same line of action and renewed his donations. In less than four years more than forty churches were newly built or rebuilt by him in various parts of the diocese.

Details of the well-meaning but tactless bishop's quarrels with the governor, the Récollets, and the seminary priests are found honestly set forth in Henri Tétu's great work on the Bishops of Quebec.<sup>1</sup> One typical specimen must suffice. There was then at Quebec a Bureau des Pauvres managed by the parish priest and the principal citizens. Its care of the

<sup>1</sup> *Les Évêques de Québec*, Monseigneur de Saint-Vallier, p. 98 et seq. Quebec, Narcisse Hardy, 1889.

poor was so efficient that beggars were almost unknown. But there was as yet no home for the sick and infirm. Saint-Vallier, in order to establish such a home, resolved to apply to it the 2000 livres capital of the Bureau des Pauvres. The directors of this bureau, dreading the revival of that beggary which they had suppressed, stoutly opposed him. Then the bishop himself undertook the charge of the poor. This led to his wish to found a new community of hospital nuns and his consequent interference with the sisters of the Hôtel-Dieu. The latter appealed to the king, who gave in their favour a decision which for a time completely prostrated the bishop. But in 1700 he went to plead his case in person before the king, and secured a final decree which established for good and all his hospital. Thus, notwithstanding the fact that he annihilated the excellent Bureau des Pauvres, and harrowed the souls of the Hôtel-Dieu sisters, he succeeded in founding a hospital in which the poor have been tenderly provided for by devoted nuns for the past two hundred years, and the glory of this splendid work is entirely his.

Hitherto the parishes depended on the seminary, which appointed the parish priests. Saint-Vallier wanted to make the appointments himself and to govern his diocese as the bishops in France did theirs. But in order to do so he must see the king. So he hastened to Paris in 1691 and obtained from His Majesty a settlement, dated February 11, 1692, which favoured his own views. The parishes were no longer dependent on the seminary. The bishop took back the money and library he had at first so generously put into the common fund of that institution.

His lordship seemed to have the knack of causing trouble. Complaints poured in upon Louis XIV, without whom hardly any Canadian difficulty could be settled. The king politely intimated through the Archbishop of Paris that Monseigneur de Saint-Vallier was wanted in France without delay. The bishop appeared at court in December 1694. At first the king merely sent him word that, for the present, he was not to return to his diocese, but it was an open secret that the monarch wished him to resign. The bishop, chafing at the

delay, wrote to Laval, asking him to plead for his return. But his wise predecessor replied that he ought to follow the example of St Gregory Nazianzen and other famous bishops who had resigned for the sake of peace.

Considering that there never has been in the history of the world another monarch whose absolute sway was so heartily accepted by an unparalleled galaxy of virtue, talent and learning, the forbearance of Louis le Grand throughout this whole affair is simply marvellous. His resistless will met the equally irresistible will of a prelate, and, through respect for religion, yielded. The king consulted Bossuet, who replied that, if the bishop did not spontaneously resign, canon law forbade his being kept in France. A few weeks later Louis sent for the bishop and received him at Versailles. 'I know,' he said, 'that I am speaking to a holy bishop, devoted to the glory of God and full of zeal for His service; I know, moreover, that, owing to circumstances, it has become extremely difficult for that bishop to do good in Canada, whereas he might easily do much good elsewhere. If he enters into my views I will provide for him.' The bishop affirmed his respect, gratitude and attachment. 'But,' said the king, 'you do not reply to what I ask.' 'Sire,' rejoined the prelate, 'there are matters about which it is more respectful not to reply to Your Majesty.' The king, after various injunctions in the interest of peace, gave him leave to return to his diocese whenever he wished.

Soon after his arrival at Quebec, in the spring of 1697, Saint-Vallier persuaded the Quebec Ursulines to found another convent of their order at Three Rivers. He approved the congregation of the Brothers Charron, founded at Montreal in 1688 under the title of 'The Brothers Hospitallers of St Joseph of the Cross,' for the care of the poor and the sick and the training of teachers for the country parishes. Later on, in 1723, he drew up constitutions for them. But they gradually dwindled and became extinct in 1745.

A curious instance of the bishop's lack of judgment was his intention of amalgamating the contemplative and cloistered order of the Ursulines with the active and uncloistered Congregation de Notre Dame. He went so far as to com-

pose regulations for this unnatural fusion. Happily, Sister Bourgeoys' common-sense expostulations and Tronson's letters dissuaded him from so absurd a project, and ever afterwards he did his best to distribute the Sisters of the Congregation in as many parishes as he could.

Wishing to secure the permanence of his General Hospital, and to obtain the canonical union of the abbeys of Maubec, Lestrées, and Benevento with the bishopric, chapter and seminary of Quebec, he sailed for France on October 13, 1700. His success in the affair of the General Hospital has already been mentioned. He went to Rome himself, at the end of 1701, for the affair of the three abbeys, was cordially received by Clement XI, and 'achieved as much,' wrote Tremblay of the Missions-Étrangères, 'in three months as others are wont to do in ten years.' In June 1704 he sailed for Quebec on the *Seine*, which was captured by an English fleet. He remained five years a prisoner in England. During his imprisonment, in 1708, Laval, who, though not administrator, had been consulted about everything during more than twelve years of his successor's absences in Europe, and had continuously administered the episcopal sacraments of confirmation and holy orders, breathed his last, universally mourned.

On Saint-Vallier's liberation and arrival from England in France in 1709, he found the king again opposed to his return to Quebec. The poor bishop had become so unpopular and so fully aware of the fact himself that, when he wished to have the rules of the Congregation de Notre Dame approved by the king, he warned his agent not to mention his name. Louis XIV kept him waiting in France four years, got his minister, de Pontchartrain, to bombard the bishop with all sorts of reasons for resigning his diocese, and, finally, seeing that he could not bend that iron will, allowed him to return.

He reached Quebec, after an absence of thirteen years, on August 17, 1713. The great fight, inaugurated by his predecessor, against the liquor traffic with the Indians, ennobles this period of his episcopate. At a meeting between government officials advocating toleration of the odious traffic

and the clergy condemning it, one of the former said to the bishop : ‘ Do you want to make the king of France lose this country by surrendering it to our neighbours, who, giving the Indians as much liquor as they desire, make friends with them and with their help will destroy this colony ? ’ The saintly bishop answered : ‘ Do you want us to preserve this country for the king of France by offending the King of Heaven ? Our monarch is too religious to remain master of Canada on this condition. Besides, if the Indians, to whom we must refuse what we cannot grant without sin, put us to death, is it not better to die innocent than to live guilty ? ’

Until 1725 the worthy bishop laboured on indefatigably, directing clergy and laity with unflinching watchfulness and practical pastoral letters. While leading a life of strict poverty, he expended on works of zeal, education and charity, during the forty years of his episcopate, some 600,000 livres, which, considering the purchasing power of money at that time, would now be equivalent to twice as many dollars. He spent his two last years in fervent preparation for death and in occasional episcopal functions at great festivals. He died on December 26, 1727, in his seventy-fifth year.

## VII

## BISHOPS DE MORNAY AND DOSQUET

**F**OURTEEN years before his death Bishop de Saint-Vallier obtained for coadjutor with future succession Louis François Duplessis de Mornay, Guardian of the Capuchins of Meudon, who was consecrated as titular Bishop of Eumenia on April 22, 1714. In 1715 Saint-Vallier wrote to his coadjutor begging him to go to Louisiana, where a spirit of irreligion was springing up. One of Louis XIV’s last acts, less than two months before his death, was to enjoin on Bishop de Mornay the urgent need there was of him at Quebec. But neither Saint-Vallier’s entreaties nor the commands of the court ever prevailed on him to cross the ocean. He did, however, what he could by correspondence, and soon sent some of his Capuchin brethren to Louisiana.

In March 1728, before he had learned of Bishop de Saint-Vallier's death, he resigned, and the king named as his successor in the coadjutorship Abbé Machuco de Presnaux. Both this nomination and Bishop de Mornay's resignation were found to be null and void when the news of Saint-Vallier's death came, for by that very fact Duplessis de Mornay became Bishop of Quebec. Fearing complications if he again offered his resignation, he, on May 31, 1728, wrote to the archdeacon, Chartier de Lotbinière, to take possession of the see in his name. Unfortunately, since the death of Saint-Vallier, the archdeacon was at loggerheads with the chapter, the members of which threw so many technical difficulties in his way that the quarrel had to be referred to the Royal Council, which decided in the archdeacon's favour. Bishop de Mornay, who had secured a coadjutor in Monseigneur Dosquet, titular Bishop of Samos, wrote to the canons, chiding them for their litigious disposition, and referring them to his coadjutor, whom he appointed administrator of his diocese on May 25, 1729.

The Bishop of Samos embarked, during the summer of that year, on the *Elephant*, which struck a rock and foundered near Cap Brûlé, twelve leagues from Quebec. All the passengers were rescued. Bishop Dosquet, who at the age of thirty had spent two peaceful and fruitful years at Montreal as director of the Congregation nuns, was surprised and pained at the quarrelsome spirit of the clergy at Quebec. His presence brought about a general appeasement, and, though some differences of opinion were afterwards momentarily revived, his quiet firmness gradually restored harmony.

During the vacancy of the see the chapter, knowing that the Royal Council approved of irremovable pastors, had ventured to erect parishes and appoint six permanent parish priests. Dosquet could not but disapprove of such a usurpation of authority. He required the immediate resignation of the pastors appointed by the canons. The parish priests all resigned. But the case had been reported to the king, whose minister wrote a sharp reprimand to the bishop. Dosquet replied that of about one hundred parishes in the diocese of Quebec only twenty had canonical pastors, and these

were near the town of Quebec ; that it had been the custom, wherever dioceses were as yet in their early growth, to appoint removable pastors : that the bishop could thus reward by a higher appointment a pastor whose parochial work had been fatiguing and painful ; that in this new country priests appointed to parishes were often so young that their capacity had to be on trial ; finally, that the honour of the clergy, the good of souls and the proper government of the diocese called for the bishop's freedom of action in this matter. 'There were orders from the court,' he added, 'granting permission to immobilize all cures ; but these orders were not carried out. The late M. de Saint-Vallier obtained contrary orders ; he immobilized a few cures, and those few he restored to their previous state at the death of the first incumbent.'

The former amicable relations between the cathedral canons and the Jesuits had recently been strained by the spread of Jansenism and the Roman decrees condemning the Chinese rites. On this latter question pamphlets containing violent attacks on the Jesuits circulated in the colony. With them came some Jansenistic publications which infected some of the inhabitants of Canada. The most notorious of these were by de Villermaula, whom the Sulpicians recalled to France and expelled from their society, and Thiboult of the Quebec Seminary. The public result of this discord was that the chapter abandoned the custom, established forty-four years before, of going in procession to the Jesuit church on the feasts of Circumcision, St Francis Xavier and St Ignatius Loyola. Dosquet blamed the chapter for this and issued orders for the continuance of the practice. The canons obeyed and duly appeared in the Jesuit church on January 1, 1730. The bishop, having thus affirmed the principle of fraternal relations among the clergy, allowed the practice, for the sake of the aggrieved canons, to fall into desuetude.

At the end of 1730 Dosquet made the visitation of his diocese. He went as far as Montreal, where he found the Sulpicians doing excellent work, and the Sisters of the Congregation, whose director he had been seven years

before, rapidly developing their network of schools. Although he had recently appointed Latour superior of all convents of women, he never ceased to take great interest in their spiritual progress, and addressed to them several community letters remarkable for deep knowledge of the conventional life.

The governor, Beauharnois, and the intendant, Hocquart, having complained to the court that the Bishop of Quebec had renewed the prohibitions of his predecessors against the liquor traffic, Dosquet went to France to defend himself. Another purpose that led him to undertake the voyage was to prevail on Bishop de Mornay to reside in Canada. Reaching Paris in 1732, he got the king's minister to write a very severe letter to de Mornay. The effect of this upon the recalcitrant bishop was to make him, on September 12, 1733, hand in his resignation. Thereupon Dosquet became titular Bishop of Quebec. He wrote empowering Archdeacon de Lotbinière to take possession of the see in his name. This was done on August 8, 1734.

Monseigneur Dosquet returned to Canada eight days later, on August 16. Being only forty-three years of age, brave, just and clever, he seemed destined to round out a long and useful episcopate; but his weak health, which had obliged him, as a young priest, to return to France in 1723, never improved in the Canadian climate. He tried living in the country, on the St Louis Road, at a place called in his honour 'la villa de Samos,' but neither town nor country air could restore his delicate health. He was obliged reluctantly to bid a final adieu to Canada on October 17, 1735. During his fourteen months as titular Bishop of Quebec, while forced to entrust the visitation of his diocese to the capable archdeacon, he laid down wise rules for the conduct of the clergy and the spread of education. On this latter subject his pastoral letter of February 20, 1735, is a masterly document of rare historical value. Owing to the difficulty in finding him a successor, four years elapsed before his resignation was accepted on June 25, 1739. During that time three Canadian seminarians, who wanted to be ordained,

had to go to France and received holy orders from the Bishop of Rennes. Bishop Dosquet, surviving two of his successors, lived nearly thirty-eight years more, spending many years in Rome, where the Propaganda often consulted him about Canadian affairs, especially after the colony had passed under the British flag. He died in Paris, March 4, 1777, at the age of eighty-six.

## VIII

BISHOPS DE LAUBERIVIÈRE AND DE  
PONTBRIAND

WITH a face of angelic beauty, as his portraits show ; with a keen, well-balanced mind, trained in the best traditions of the most Catholic group of the French nobility ; with burning love for God and men ; with a body inured to mortification, as the instruments of penance found in his luggage after death bear witness ; François Louis Pourroy de Lauberivière, consecrated bishop on August 16, 1739, at the beginning of his twenty-ninth year, sailed for Quebec nine months after his consecration, was received with inexpressible joy by his flock and died twelve days after his arrival.

Born at Grenoble on June 16, 1711, he became, even in his early youth, a model for Christians of more advanced years. Hardly had he completed his seminary course by a brilliant examination that won him the degree of 'docteur en Sorbonne,' when he was placed at the head of one of the most important chapters of the province of Grenoble. His talents, his virtues, and above all his prudence, were such as to designate him as a worthy successor of Dosquet. Lauberivière was then only twenty-eight. After his election he wrote to Ransonnet, one of the directors of the Quebec Seminary, that he intended to lodge and board there and that his rooms must be furnished with apostolic simplicity.

The *Rubis*, on which he sailed, had a prosperous and rapid voyage of twenty-two days as far as Newfoundland Banks. But then a malignant fever, which some called the plague, broke out among passengers and crew. So many of the

seamen were ill that the officers and some of the passengers had to handle ropes and sails. What added to the horrors of this epidemic was the smallness of the hold in which four hundred men, most of them dangerously ill, were lodged. Into this awful nest of disease went the intrepid young prelate, giving bodily and spiritual comfort to all, charming the sick by the sweetness of his manner and the fervour of his ministrations. Several died, among others a Sulpician priest, the bishop's companion. Rumours having reached the shore that the ship was pest-ridden, nobody would come to its assistance. At Bic, fifty leagues below the episcopal city, some of the less sickly sailors volunteered to go in a small boat to Quebec, whence, a few days later, two vessels came to the rescue. One of them took off as many patients as possible. The bishop refused to leave until all the sick had been attended to, and then he went by canoe to Quebec, arriving there on August 8, 1740.

Enjoying as yet apparently perfect health, and acclaimed as a combination of St Charles Borromeo and St Francis de Sales by those who had come to know his brave and gentle ways on the stricken ship, he was welcomed with delight. On the very evening of his arrival he made his official entry into the cathedral and took up his residence at the seminary. But the germ of the contagion soon developed, and on August 13, five days later, the fever was upon him. Deadly disease, which proves men's souls and reveals their true worth, brought out all that was best in that noble soul. Not a word of disappointment or impatience escaped his lips ; he merely said that, having come to Canada to do the Lord's work, he was glad to yield up his life to the will of Christ. On the night before his death, which took place on August 20, he said : ' I die in the love of my God and faithful to my King.'

The behaviour of his afflicted flock showed the depth of their practical faith. They were less moved by the sudden blasting of their cherished hopes than by the saintly example of this martyr to Christian charity. The people immediately began to invoke him before the throne of God, pilgrimages were made to his tomb, and many extraordinary

cures both in France and Canada were attributed to his intercession.

Monseigneur de Pontbriand was the sixth Bishop of Quebec and the last of the prelates who directed the immense diocese of New France. When he died New France was about to change its name, another flag was already floating on the walls of Quebec. His episcopate of twenty years will be for ever memorable, because of the very great misfortunes that befell his church and threatened to destroy it, and because that period was marked by acts of great virtue and heroic devotion, hallowed by religion. The Bishop shared the sorrows and upheld the courage and faith of his flock, and if at his death he left a church in ruins, he also bequeathed to this church sons and daughters whom he had so well trained that they were able to restore it and make it finer than ever.

These words of Monsignor Henri Têtu sum up admirably the life-work of the last Bishop of Quebec under the French régime. Henri Marie Dubreuil de Pontbriand was born at Vannes in Brittany in January 1708. He studied at the Jesuit college of La Flèche and at the Paris seminary of St Sulpice, won his degree of Doctor of Divinity, was appointed vicar-general by the Bishop of St Malo, and soon showed so much firmness and wisdom that Cardinal Fleury, hearing of his success, offered him the see of Quebec. Pontbriand was consecrated at Paris, April 7, 1741, and reached Quebec on August 29 of the same year. A couple of days after his arrival he visited the religious communities of the town, everywhere bringing consolation and peace. It was already known that he belonged to a saintly family, and his first words showed that he was a man of God. On September 21, little more than three weeks after landing, he issued a pastoral charge full of that unction which distinguished all his episcopal letters. He praised his saintly predecessor cut off in the bloom of youth and heroism, approved of the tears shed over so great a loss, and commended the virtues of the clergy and people entrusted to his care.

His first material work was the rebuilding of the cathedral, which was falling into ruin. Masons began their labours

in 1744, but the very next year they were commandeered by the governor to repair the fortifications of the city ; for the home government, instead of sending out troops and encouraging colonization, preferred to spend money in fortifying Quebec and Louisbourg. However, the bishop persisted. He made the new building three times as large as the original one, and it was opened for worship in 1749.

He, too, like Bishop Dosquet, felt himself in conscience bound to annul some nominations made by the chapter during the vacancy of the see. The aggrieved pastors complained to the royal court. The bishop was asked to explain, did so, and received the following reply from de Maurepas :

One cannot but highly praise your opinion as to the conduct of the Quebec Chapter in immobilizing, since Mgr de Lauberivière's death, some of the cures of the diocese. It is not the King's intention that this irregular immobilization should endure, and I am writing, by His Majesty's order, to MM. de Beauharnois and Hocquart to persuade the Chapter to withdraw the letters to the pastors it has immobilized. . . . If, however, there should arise certain difficulties on the part of the Chapter or of the pastors, His Majesty desires that you should insist upon your rights, which he is always disposed to uphold, reserving future provision for the immobilization of such cures as, in your opinion, ought to be put on that footing.

These words show what deference the king paid to the bishop's view.

This disagreement was not the only one that arose between the bishop and the chapter, and especially between the chapter and the seminary. The cases were argued during his whole episcopate, either before the Superior Council or the court of France. Throughout all this litigation Monseigneur de Pontbriand never ceased to treat his opponents with kindness and to praise the regular and edifying lives of the canons.

Religious communities of women played a very important part in the history of the colony. Many of the annals and letters of cloistered convents are still among the documents

most valuable for giving an insight into the current opinion of the time. The Ursuline annalist wrote :

Towards the end of January, 1742, took place the official visitation of the monastery [by the Bishop]. The lack of union between the different bodies of the clergy in 1727 and the following years, together with the almost continual absence of the Chief Pastor, must have somewhat hindered perfect harmony of minds and hearts ; but what an excellent spirit was manifested by the community when the worthy Bishop came to visit us ! All our Sisters were satisfied with his methods of procedure, the interest he took in everything and his zeal for our perfection.

Indeed with Bishop de Pontbriand this visitation of convents was no perfunctory matter. He entered sympathetically into the trials of every soul, helped each one to carry her cross, and heartened all in the warfare of spirit against flesh.

The convents at Montreal and Three Rivers of course shared in the benefits of his visitation. It was during his episcopate that the Grey Nuns of Montreal were founded by Madame d'Youville, who was empowered by royal letters patent dated June 3, 1753, to take charge of the General Hospital. He visited this rising institution in 1755 and approved its rules.

From the beginning to the end of his episcopate his principal care was the visitation of his diocese. Not only did he solicitously inquire into the general financial and spiritual condition of each parish, but he preached regularly four or five times a day simple, instructive, practical and earnest sermons. He talked privately to all who sought relief in trouble or sorrow, he made peace between enemies, he put an end to scandals, he converted the sinner and sanctified the just. In May 1752 he travelled by canoe, making portages and shooting rapids, and by land through underbrush and morass, as far as Fort Présentation, now Ogdensburg, founded in 1748 by a Sulpician priest, François Piquet. There he was joyfully greeted by Canadians and Indians, and baptized 132 adults. On March 16, 1755,

he blessed the new church at Detroit, and remained there some weeks preaching and administering the sacraments.

In 1743 and several subsequent years the colony suffered from a famine due to a succession of bad harvests ; but in the city of Quebec the bishop, by his private alms and by well-organized relief, staved off actual starvation. A pestilential disease decimated the citizens of the capital in 1746. The wards of the Hôtel-Dieu no longer sufficed ; the General Hospital took care of fifty sailors who had caught the terrible malady. Many nuns and priests died victims of their own charity, among others Vallier, one of the most distinguished priests in Canada.

The bishop's zeal was particularly noticeable in the training of the clergy. To all of them he was a pattern of learning and virtue. In the ecclesiastical conferences, which he systematized, he inspired them with zest for serious studies and imparted to them some of his own masterly grasp of theological principles. He presided every year at the clergy retreats which he himself had introduced, and by his kindness and wisdom won the confidence of even those who were carrying on lawsuits against him. During his episcopate he ordained ninety-seven priests.

On the occasion of the jubilee promulgated by Benedict XIV in 1750 and celebrated in the diocese of Quebec in 1752, he put himself at the head of a band of preachers and confessors and conducted a series of missions at Quebec and Montreal. One of the common moral obliquities of the day, and one which crops up under another name in our own time, was the persuasion that there was no harm in defrauding the royal exchequer. Preachers fearlessly branded this as a crime, although it was known that the governor, the Marquis de la Jonquière, and the intendant, Bigot, were continually and flagrantly perpetrating that crime. Just then, in May 1752, the marquis was dying. The bishop, before giving him the last sacraments, stipulated that he must beg pardon for the scandalous way in which he had enriched himself at the expense of the colony, and was authorized by the dying governor to let the public know of his deathbed repentance.

Disasters multiplied. Monseigneur de Pontbriand was returning from preaching the jubilee to the Indians at the extremity of his vast diocese when he learned that two conflagrations had destroyed almost all the houses in Three Rivers, and in particular the Ursuline Convent. Scarcely had he rebuilt this monastery at his own expense and with the labour of his own hands, helping the masons and the carpenters, when, during his pastoral visitation at Montreal, he heard that the Quebec Hôtel-Dieu had been burned down on June 7, 1755. He appealed for help to the citizens of Montreal, who contributed more than a thousand crowns. A subsequent collection, organized throughout the colony, netted thirteen hundred crowns. The new Hôtel-Dieu was finished in 1757. It was immediately filled with fever-stricken soldiers and sailors, as many as six hundred being received in one month. The bishop arranged that secular and regular priests should take their turn in attending to the spiritual needs of the sick ; he himself supplied for the absent and was busy every day, imparting the last rites and burying the dead. Seven hundred Catholics, mostly seamen and soldiers, died at the General Hospital in 1757 and 1758. Provisions became so scarce that the citizens of Quebec were reduced to rations of four ounces of bread a day. When we add to all these misfortunes the war alarms, the killed and wounded, and the vileness of Bigot and his accomplices in graft and debauchery, we can form an idea of what Canada had to suffer, and what wisdom and fortitude the bishop must have had to face such emergencies and to keep the people from breaking out into revolt.

Bishop de Pontbriand had a vicar-general for Acadia and Louisiana, Abbé de l'Isle-Dieu, who resided in Paris because it was easier to communicate from there than from Quebec with these far-flung missions. The correspondence between the bishop and Abbé de l'Isle-Dieu reveals the watchful care with which the latter supervised the missionaries and provided for their wants and those of their people. Most touching especially is the commiseration of the bishop and his vicar-general for the woes of the Acadians before and after their dispersion.

The victory of Montcalm at Carillon in 1758 gave Canada a ray of hope and a breathing spell till the next spring. The colonists sent a last heart-breaking appeal to France for speedy succour ; but the English were masters of the seas, and the French government had not strength enough to rescue New France from the grip of England's fleet and armies. Early in 1759 the Bishop of Quebec addressed to his parish priests detailed instructions as to the prudence expected of those whose parishes might fall into the enemy's hands. Being already afflicted with an incurable disease and now thoroughly worn out by fatigue, he retired to Charlesbourg, where he remained during the siege of Quebec. After visiting the still smoking ruins of his cathedral, he withdrew to Montreal, broken-hearted and haunted by the shadow of death.

But, faithful unto the end, he issued on October 28, 1759, a pastoral letter to all his flock, exhorting them to turn to God in the midst of their disasters, and ordering two solemn requiem masses in all the churches of the governments of Montreal and Three Rivers : one for Montcalm and his officers, the other for all the soldiers who had died during the last campaign. He wrote, November 5, to the minister of the king of France, exculpating de Vaudreuil from all blame in the recent defeat, and describing in detail the devastation of Quebec and the neighbouring country. Three weeks before he died he wrote a touching letter of farewell to the canons of his cathedral, instructing them as to what they should do after his death. He breathed his last on June 8, 1760, in his fifty-third year, so poor that he had no bequests to make. As his whole life had been devoted to the French cause, it was providential that he should expire two months before Montreal capitulated to the English.

Most providential, too, was his parting advice to his vicar-general, Abbé Briand, in a letter dated February 16, 1760 : ' You cannot too earnestly enjoin upon the parish priests to be as prudent as possible. We must not meddle with temporal affairs. Our sole concern should be spiritual, and then I am persuaded that General Murray will be satisfied.' Briand, who by his tact, his amiability and his

all-round capacity had long been the bishop's chief support, and soon became his successor, was indeed the only man able to grapple with the appalling perplexities of the hour. He was also the only man who, from the very beginning of his intercourse with the conquerors, foresaw that religion might profit by this change of masters. And yet, optimistic though he was, in spite of the fact that a century and a half of French domination had ended in utter ruin, he could hardly have foreseen that, after another century and a half, amidst the most enchanting pageant the world has ever witnessed, a future king of England would, in that now glorified city of Quebec, show the clergy of Pontbriand's church a deference and a predilection which no ruler of France would dare to show.

*Lewis St. Edmund S.*

THE COLONY IN ITS  
ECONOMIC RELATIONS



## THE COLONY IN ITS ECONOMIC RELATIONS

### I

#### THE RISE OF MONOPOLY FRENCH ECONOMIC POLICY

**I**N reviewing the economic history of New France it is important to keep in mind the colonial policy of Europe, particularly that of Spain, in the seventeenth century. This policy, slightly modified by local conditions and ideas, was the policy of France in Canada.

The central features of this European or Spanish policy were paternalism and monopoly. Its fundamental doctrine was that a colony was wholly the property of its mother country—that its territory, products and trade were to be developed, exchanged and exploited for the sole benefit of the parent country, regardless of the interests of the colony itself. Colonies were to be fostered and protected only that they might redound to the strength and prosperity of the mother country, and the king and his ministers were alone to judge of what was or was not for their benefit.

Keeping their eyes steadily upon the example of Spain, the pioneer in colonial power, every court in Europe ambitious for colonial possessions accepted the theory of this policy. The great wealth and consequent national prestige of Spain were held to justify Spanish policy. Holland and even England accepted it. France, by reason of its political constitution and administrative system, easily followed the Spanish example. But Holland and England were unable to control the individual independence and enterprise of their colonists sufficiently to carry it out in practice. Hence

in the end the Dutch and the English colonies were flourishing, while those of France and Spain were paralysed by paternalism and honeycombed with parasitic corruption.

Except for a comparatively short period during the administration of the intendant Talon, monopolistic privilege characterized the economic policy of France towards Canada. Extensive powers and privileges were farmed out to individuals and corporations, who in return were required to accomplish quite impossible results for the furtherance of the glory and power of the French crown. The commercial aspects of French rule in Canada are therefore to be regarded generally as manifestations of the working of this unenlightened policy. But statesmen and rulers of the sixteenth, seventeenth and eighteenth centuries are not to be judged by the standards of the twentieth century. The prevailing ideas of the period were very different from our modern ideas. Possibly a policy other than that actually adopted might have been pursued. There were enlightened minds<sup>1</sup> who urged, and even endeavoured to put in practice, reforms which might have saved the colony from disastrous consequences, but even these men could not escape the general atmosphere and tendencies of the age.

Moreover, in following out this policy the French court was only dealing with the colonies as it dealt with the towns and provinces of France. Individual enterprise and freedom of trade were not recognized in France any more than in its colonies. Nor were the administrators of the central government entirely responsible for this; it was a feature of the age that trading and manufacturing corporations were permitted to make for themselves regulations, which were recognized as laws of the country and enforced in the courts. True, the great minister, Colbert, in the seventeenth century introduced many changes, and endeavoured to substitute a national protective system for a variety of small,

<sup>1</sup> Among those in France who protested against the monopolistic system were the eminent economist, Jean Bodin (1530-96), and the historian, Montesquieu (1689-1755). While urging individual freedom as against monopoly, both these writers were strongly in favour of the possession and development of colonies. It is to be noted also that the Parliament of Rouen vigorously opposed the granting of monopolies to chartered companies.

selfish and short-sighted trade monopolies. But Colbert, although far in advance of his predecessors, still adhered to monopoly as a fundamental principle of his policy.

The trade policy which France sought to enforce was undoubtedly narrow and restrictive. It was condemned by many French writers at the time as a source of weakness, and subsequently as the chief cause of the loss of French power in America. Yet it was but a natural outgrowth of the system then prevalent throughout Europe, and its unfortunate effects were universally recognized only after repeated experiences and by contrast with the freer policy, more or less forced on the mother country, of the adjoining British colonies.

#### EARLY TRADING EXPEDITIONS

After a series of disastrous attempts at state colonization in various parts of North and South America, extending from 1526 to 1565, the French government temporarily lost interest in America<sup>1</sup> as a field for national enterprise, and the French territories were left to be exploited by a limited number of shrewd, practical merchants and seamen on the one hand, and a few scientific and scholarly explorers on the other. Freedom of trade and boldness of enterprise in Canada began with the fishermen of France. Numerous royal schemes for exploiting the territory came to grief, but Norman and Breton ships continued to fish on the Banks of Newfoundland and up the Gulf of St Lawrence. Wherever opportunity occurred, they traded with the Indians for furs, then steadily rising in value owing to their increased use in the fashionable costumes of the age.

At first incidental to the fisheries, the fur trade soon proved exceptionally profitable and attracted independent adventurers. Tadoussac, at the mouth of the Saguenay, commanded the fur trade of the northern and western regions, and became the chief port and centre of trade with the Indians. The most important skins obtained were beaver,

<sup>1</sup> The prevailing attitude is well expressed by Montaigne, who said: 'I am afraid that our eyes are bigger than our bellies and that we have more curiosity than capacity, for we grasp at everything and catch nothing but air.'

elk, lynx, fox, otter, marten, badger and musk-rat ; and the chief articles of trade exchanged for them were tobacco, arrow tips, swords, hatchets, knives, kettles, cloaks, blankets, hats and various cloths. Among the articles of food exchanged were corn, peas, biscuit, prunes and raisins.

From the time of Cartier the port of St Malo kept up a constant trade with Tadoussac. Several of Cartier's relatives were among the chief traders. Two of his nephews<sup>1</sup> made several attempts to obtain from the crown a monopoly of the fur trade, but in this they were always frustrated by the other merchants of St Malo. Court favourites were constantly intriguing to obtain for themselves or their friends special monopolies of trade with foreign possessions. The court had as yet no settled policy on these matters, and was subject to constantly varying influences. Its action was so fickle that many a merchant, having secured and set out to exercise a monopoly of some colonial trade, returned to find it regranted to a rival. The rival in turn was liable to suffer the same fate.

The chief arguments advanced by the monopolists in favour of their suits were formulated at a very early period and remained substantially the same through all the changes of actual practice to the end of French rule. The monopolists engaged to plant colonies for the glory and profit of the king, and to establish missions for the glory of God. In return for these engagements they expected for themselves rich rewards and material profits. Lescarbot, the first historian of New France, and himself interested in one of these monopolies, thus presents the case for the fraternity : 'Whether is it better to have the Christian religion and the glory of France extended than to have certain individual merchants grow rich who do nothing for either ?' The independent traders, he says, will neither plant colonies nor save the souls of the heathen. Moreover, through the competition of the free traders they were paying the Indians  $8\frac{1}{2}$  livres<sup>2</sup> for

<sup>1</sup> One a nephew and one representing himself as such.

<sup>2</sup> The old French *livre* was equivalent to the modern franc, and, like it, was divided into twenty *sols*, or *sous*. Nominally—that is, apart from the relatively higher value of money in the period under review—its value in modern currency was ten pence, or twenty cents, and that of the *sol* a halfpenny, or one cent.

beaver skins, whereas, under the operation of a monopoly, the Indians would be forced to part with them at  $2\frac{1}{2}$  livres. Little wonder that there was so keen a competition at the court of France for the abolition of competition in the wilds of Canada !

The monopoly of the colonial trade was passed rapidly from one hand to another, until it came into the possession of Pierre du Guast, Sieur de Monts. In 1604 he seized a number of vessels engaged in the trade. At this there was a great outcry on the part of the Norman and Breton merchants and seamen against the monopoly system, now enforced for the first time. These fishermen and traders, who, entirely by private enterprise, were developing the economic possibilities of the Acadian coasts and the Gulf of St Lawrence, were not impressed by the objects for which the monopoly had been granted. The discovery of the north-west passage round America, or the exploration of the shores of Canada in search of precious metals, signified little to them. Their protests apparently influenced the policy of the court, for de Monts' monopoly was rescinded in 1607. He succeeded in obtaining a brief renewal, but from 1609 to 1612 the trade of the St Lawrence was free to the people of France and of the colony.

#### CHAMPLAIN'S COMPANY

In 1608 Champlain, under the charter granted to de Monts<sup>1</sup> and acting as his lieutenant, established the first permanent colony at Quebec, clearing the ground and erecting the first building on the site of what is now the lower town of Quebec, and which at that time afforded the best available combination of facilities alike for defence, agriculture, industry and trade. During the summer of 1608 Champlain and his men busied themselves with the construction of their *habitation*, felling trees, digging and making preparations for the coming winter. In September, Pont-Gravé, Champlain's associate, set sail for France, taking

<sup>1</sup> See 'The Colony in its Political Relations' in this section. This charter, or Lieutenant-general's commission, under which the government of the colony was administered, was held by de Monts for three years after the expiration of his trading monopoly.

with him all but twenty-eight men, who remained at Quebec to winter with Champlain. The winter was exceedingly severe ; towards its close scurvy broke out, and twenty of the men died of the disease. In June (1609) Pont-Gravé returned from France with provisions and men for the settlement. During the summer Champlain, with a war-party of Indians, explored the Richelieu.<sup>1</sup> In October of the same year we find him in France submitting his report to the king and to his associate, de Monts, both of whom, it appears, considered his account satisfactory. De Monts made strenuous efforts to secure a further renewal of his trading monopoly, which had expired, but the opposition was too great, and he was unsuccessful. He therefore arranged with his former partners, merchants of Rouen, to equip two vessels to carry out artisans and supplies to the colony and to engage in the fur trade. Champlain was again appointed lieutenant for the government of the colony, and he arrived at Quebec in one of these vessels in the spring of 1610.

The trade of the St Lawrence now being free and unrestricted, there was an immediate rush of traders thither under the impression that great gains were to be made, and the enterprise was pushed up the river as far west as the Grand Sault (Lachine Rapids) above Montreal. Competition became excessive, and the returns were so unsatisfactory that de Monts' partners in Rouen decided to withdraw from the undertaking. For a time the plans of Champlain were brought to a standstill. The independent merchants attended only to their trade, and would contribute nothing to the establishment of a permanent colony.

This led to the establishment of the Company of Rouen and St Malo, commonly known as Champlain's Company. In the autumn of 1611 Champlain arrived in France and did not return to Quebec until May 1613. Colonization plans and the organization of the company, under many difficulties, chiefly occupied him during this interval. Merchants of La Rochelle, Dieppe and other coast towns

<sup>1</sup> For an account of Champlain's explorations see 'The Pathfinders of the Great Lakes' in this section.

protested vigorously against the establishment of another monopoly, and the parliament of Rouen refused to register the charter. Finally a compromise was effected by which membership in the company should be open to all merchants who might desire to join in the enterprise and assist with the work of colonization. This was supposed to eliminate the monopoly feature.

Champlain's great object was to found a French colony<sup>1</sup> in Canada which should be self-dependent as far as possible, and whose trade should be carried on, not mainly for the special interests of a privileged corporation, nor for the political advantage of the French court, but primarily for the benefit of the colonists and for the upbuilding of a strong colonial power. He had believed that a chartered company could be obliged to do more for a colony than free traders, interested only in fish and furs. In this he was grievously disappointed. The monopolists not only drove out the independent traders, but prevented the colonists themselves from taking part in the external trade. Under the control of the company, the colonists were not allowed to trade with the Indians or with one another. If they had anything to sell, it had to be sold to the company at the company's prices; if they wished to buy anything, they were compelled to buy it from the company at the company's prices. The monopolists had covenanted to contribute to the support of the colonial government and to bring out settlers, but this agreement they did not take seriously and for the most part evaded.

In 1620 the company's monopoly charter was cancelled, and a new company, organized by Guillaume de Caen and his nephew, Emery de Caen, merchants of Rouen, succeeded to the trading privileges in 1621. In the following year

<sup>1</sup> While Champlain was thus struggling with his colony at Quebec the Dutch colony on the Hudson was founded (1614). This proved a significant event of calamitous consequences to Canadian trade. The Dutch established centres at Manhattan (New York), Orange (Albany) and Corlaer (Schenectady). From Orange and Corlaer they traded with the Iroquois, supplying them with firearms, in the use of which the Indians soon became experts. The Iroquois turned these weapons on the French with such effect that for many years the colony was terrorized and its farms and settlements laid waste.

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the interests of the two companies were amalgamated. Under this strong combination the trade in furs went forward apace, the company sending to France from 15,000 to 20,000 skins annually.

In 1617 the first rural settlement of a permanent character was made by Louis Hébert, who cultivated a few arpents of land near Champlain's fort, and who, six years later, was granted the seigniory of Sault au Matelot. He settled with his family on this so-called seigniory, which was in reality a small bush farm on land now a part of the city of Quebec. Thus was introduced the regular cultivation of the soil, which alone could render the colony self-sustaining. Hébert soon had eighteen or twenty arpents of land under cultivation. The Jesuits, who first came to Canada in 1625, also established farms of their own, and by their industry added greatly to the agricultural development of the colony. But three-fourths of the colonists still remained in the employ of the company, whose chief object was not agriculture but the beaver trade. Consisting for the most part of settlers wholly dependent on a selfish monopoly, the colony remained weak.

### THE ONE HUNDRED ASSOCIATES

In the year 1626 Cardinal Richelieu had attained to power as the chief adviser of the French crown. Having been a diligent student of European history, and of the recent development of Spain and the Netherlands, he had reached the conclusion that colonial expansion and foreign trade were the indispensable means towards the realization of his determined ambition to make France the first country in Europe. To this end, he was convinced, two things were necessary—the weakening of the House of Austria and the development of maritime and colonial power. Richelieu was chiefly influenced in this policy by the French economist, Montchrétien, who supported a much less liberal policy than the one previously advocated by Jean Bodin. Montchrétien believed in placing trade in the hands of companies, taking his model partly from Spain, but chiefly from the Netherlands, which were then coming to the front

in trade and shipping. The New Netherlands Company had recently been established, and had made its first settlement at the mouth of the Hudson. Montchrétien was strongly in favour of international trade, when conducted on lines of reciprocal advantage, but he had no faith in individual enterprise. Richelieu accepted this writer's view as to the advantages of colonial possessions and foreign trade. He undertook to foster these ideas by establishing commercial companies, to which were granted very extensive powers and privileges.

In 1625, in a memoir addressed to the king, and in 1626, before the assembly of notables, Richelieu explained his views regarding the proper policy for augmenting the power of France. In these he simply developed the principles of Montchrétien. The king, he urged, should establish strong companies to carry on trade, foster shipping and build up colonies.<sup>1</sup> As to Canada, his views were embodied in the charter of the Company of New France, otherwise known as the Company of One Hundred Associates. The ordinance establishing this company is dated April 29, 1627. The economic features of the charter are of special interest.

The policy of the previous holders of the monopoly in Canada was condemned, as lacking in enterprise and care for the welfare of the colony. The cultivation of the soil, it was declared, had been so completely neglected that the few people in the country would have starved had provisions from France failed to arrive. The monopolists had not fulfilled their engagements to take out settlers to the colony, nor had they assisted those who desired to emigrate on their own account. The few colonists who were in the country were forbidden to produce, buy or sell anything except for and through the monopoly. For these and other reasons the powers and privileges of the old monopoly were revoked. The new company undertook to establish a powerful and well-peopled colony in New France. In consideration of this and other prospective services towards the upbuilding of national colonial power, the company was granted absolute

<sup>1</sup> Between 1625 and 1642 eight such companies were formed under the special favour and protection of Richelieu.

sovereignty over all the lands of New France, a perpetual monopoly of the trade in furs and skins, and a monopoly of all the other trade and commerce of the colony, by land or sea, for a period of fifteen years. As a concession, however, to the clamours and protests of the northern French seaports, the cod and whale fisheries in Canada's waters were to remain free to all the king's subjects, so that the fishermen and whalers of France might continue their industry.

The colonists were allowed to trade with the Indians, but the furs obtained in such trade had to be handed over to the agents of the company at the fixed rate of forty sols, or two livres each. Trade with any one but the Indians was forbidden. All the products of the colony which the company might import into France were to be free of duty for fifteen years, the life of the general trading monopoly. Evidently Richelieu was convinced that the monopoly principle had nothing to do with the failure of previous undertakings in New France, for he looked to his own more drastic form of monopoly to accomplish his great purposes.

In virtue of its own by-laws, the capital of the company was fixed at 300,000 livres in one hundred shares of 3000 livres each. One-third of the capital was to be paid in before the end of January 1628, and the remainder as called for. The company was formed on a limited liability basis, the shareholders not being liable for more than the face value of their subscribed shares. Twelve directors were to have complete administration of the company's property and powers, including the granting of lands under feudal tenure. The profits of the first three years were to be recapitalized, after which one-third of the profits were to be paid to the shareholders and the remainder recapitalized to meet the payments on the unpaid shares. A curious provision enabled the shareholders to admit others to a partnership in their shares, though the company recognized officially only the original shareholders.

Unfortunately for the initial success of the company and for its great national ideals, the first fleet of vessels, carrying immigrants and supplies to the colony, was captured by the English, and shortly afterwards the colony itself, through the

surrender of Quebec, passed into the hands of the English, in 1629.<sup>1</sup>

The colony was restored to France by the Treaty of St Germain-en-Laye in 1632, and the Company of New France resumed its operations. Whatever might have resulted from their first enthusiasms, it soon became evident that the associates now intended to escape as far as possible from their obligations to the crown and the colony, and to take every advantage of their trade monopoly to enrich themselves.

When Champlain returned as governor in 1633, he brought with him more than one hundred colonists in three vessels. The trading monopoly of the company was handed over for five years to a special inner circle of the associates. This subsidiary company undertook to provide the governor's salary and such other incidental expenses of government as they might not be able to escape. Champlain was, naturally, much chagrined at the outcome of his hopes, but retained his conviction that the colony might yet be rendered vigorous and self-supporting. He died, however, in 1635, and for a number of years the colony made very slow progress. Few additions were made to the population. The fur trade on the St Lawrence, under the company's monopoly, and the more thriving fisheries of the gulf and the Banks, alone continued to flourish, and absorbed the attention of those interested in Canada. The troubles with the Iroquois, who began to harass the colony from the west, naturally impeded development.

In 1640 the Company of Notre Dame de Montreal obtained from the Company of New France the north-eastern portion of the Island of Montreal, and in 1642 Maisonneuve laid the foundations of Montreal. To this new centre, because of its natural advantages of situation, the control of a portion of the fur trade was soon transferred. For the same reason it afterwards became the base for the outfitting and departure of the numerous exploring expeditions which followed either the Ottawa or the St Lawrence route into the wilderness of the West.

<sup>1</sup> At the time of the English occupation there were but five families, including about twenty-five persons, permanently settled in New France. They had cleared about twenty acres of land.

Richelieu died in 1642, and was succeeded by the narrower-minded Mazarin, who manifested little interest in the colonial empire of France. The Company of New France having neglected, as completely as its predecessors, all the obligations on which its privileges were based, the rising discontent of the few settlers ultimately found voice through the governor, Montmagny. In 1645 the company agreed to transfer its trade monopoly, though not its seigneurial rights, to the inhabitants of the colony. This was done on condition that the company should be relieved of all expenses in connection with the colony, and receive 1000 pounds weight of selected beaver skins annually. The company insisted upon this one-sided stipulation on the ground that it had lost 1,200,000 livres in its attempts to save the souls of the heathen and to glorify the king. None of its loss, apparently, was incurred for the benefit of the Canadian colonists, who were, nevertheless, asked to contribute to the liquidation of the company's debts. Doubtless, as the tribute was to be paid in beaver skins, it was expected that the Canadian traders would be able to shift the burden on to the Indians. But, according to all contemporary accounts, the chief features of European civilization which the Indians acquired were certain demoralizing vices and destructive diseases, notably smallpox.

#### THE MERCHANTS' MONOPOLY

The transfer of the trade rights to the colonists meant, in practice, their transfer to a few of the leading merchants, who formed themselves into a company known as the *Compagnie des Habitans*, which assumed the obligations with reference to the old company on the one hand and to the colonial government on the other. It was this company which secured as an open privilege what had been practised, though irregularly, from the first days of the colonial trade, namely, the employment of brandy as an article of exchange in trading with the Indians. The great justification for the employment of brandy in the Indian trade was its efficiency in extracting from the Indians the maximum of furs for the minimum of outlay on the part of the traders. As the traders argued, in their long and bitter controversy with the church

on this question, brandy was the one article of commerce in which the French had an advantage over their rivals, the Dutch and the English. Were they deprived of its use in the fur trade, the mainstay of colonial traffic would be lost to the French, and the loss of the colony itself would soon follow. Certainly, if brandy were to be permitted in the Indian trade, the thrifty trader might salve his conscience with the reflection that, since brandy in excess was very bad for the Indians and still worse for those with whom they came in contact while under its influence, the smaller the amount of brandy which the Indian obtained for his furs, the better for all concerned. Thus the traders were able admirably to combine a laudable interest in protecting the Indian from the sin of intemperance with the chance of larger profits to themselves. As a consequence the merchants who took over the trading monopoly of the Company of New France made very handsome gains out of their transactions, and soon managed to secure the virtual control of both the internal and external commerce of the colony. Now, however, the profits largely remained in Canada. Under the former system, such profits as there were passed into the hands of court favourites in France.

In 1647 the first attempt was made to establish commercial relations between the French and British colonies in North America. Governor Winthrop, of Massachusetts, who seventeen years before had brought out colonists to that settlement and founded Boston, proposed the establishment of a permanent peace between the French and British colonies of North America, despite any troubles which might arise between the crowns of Europe. Under the protection of such a peace, the shrewd English governor proposed the exchange of New France furs for New England grain and other provisions. The French, however, nullified the proposal by stipulating for the assistance of the British against the Iroquois.<sup>1</sup>

These aggressive savages, now supplied with arms and ammunition by the Dutch and English traders, were pressing

<sup>1</sup> Further details on the proposed treaty are contained in 'The Colony in its Political Relations' in this section.

with steadily increasing vigour upon the French settlers, whose Indian allies were weakened by brandy, smallpox and other accompaniments of civilization. On account of the Iroquois danger during several years preceding the events to be described in the next chapter, farming had become almost impossible in the neighbourhood of Montreal and Three Rivers, and even the fields about Quebec were occasionally unsafe.

## II

## NEW FRANCE UNDER COLBERT

## CROWN GOVERNMENT

**M**EANWHILE, interest in the colonies at the French court had fallen so low that it was seriously proposed to make Canada a dumping-ground for criminals. To protest against this proposal and to urge the claims of the few settlers, Pierre Boucher was sent to France in 1662. He laid the situation before Colbert, who, on the death of Mazarin, had succeeded to the position of first minister in 1661. Like Richelieu, Colbert had a strong belief in colonial expansion as an essential feature in the development of France. His ideal was a great industrial and commercial nation with a numerous fleet of merchant vessels, protected by powerful men-of-war. Though he adopted a very enlightened policy in regard to Canada, and had in Talon and Frontenac exceptionally able representatives in the colony, yet he did not, at least at first, depart in any essential particular from the policy already laid down by Richelieu and derived from the economist Montchrétien. Owing particularly to the tact of Colbert in managing the king and his willingness to accept the advice of the able intendant Talon, Canada enjoyed, during his administration of marine and colonial affairs, the most hopeful and prosperous period in her history as a French colony.

As a result of the representations of Boucher, and particularly of Bishop Laval, the extravagant and more or less moribund powers of the old Company of One Hundred









Associates were withdrawn. The king resumed possession of the whole colony, some compensation being allowed to the remnant of the old company. The transfer from the company to the king was effected early in 1663. In the document accepting the transfer the future policy of the court regarding the colony is set forth. The economic features of this policy may be briefly indicated as follows :

The king and minister declare their special interest in the re-establishment of commerce during the period of peace. France requires wealth, which involves commerce, and this in turn depends upon colonies. But before seeking new colonies, it is desirable to protect and develop those already in hand, such as the colony of New France. True, this colony has been steadily neglected at the hands of the Company of One Hundred Associates, and on this ground the king has resumed possession of it. He now purposes to have it administered under his own direction. To this end the government of the colony is to be placed under the administration of the Sovereign Council.<sup>1</sup>

On March 21, 1663, the Council of State decreed that all grants of land in Canada which were not cleared within six months should be resumed by the crown and regranted to actual settlers. The very sufficient reason given was that the Hundred Associates had granted lands very lavishly and recklessly, with the result that little land was cleared and the few settlers were so thinly distributed as to be unable to assist each other in their labours or to join in mutual protection against the Iroquois.

#### COMMISSION OF INQUIRY

With a view to obtaining detailed information concerning the resources of the colony and the possibilities of their development, Louis Gaudais was sent to Canada with a commission to investigate and report upon its condition. Colbert wished to know the nature of the soil, the extent of the arable land, the amount already cleared, and the general agricultural capacities of the country ; also whether sufficient

<sup>1</sup> For an account of the structure and origin of this council see 'The Colony in its Political Relations' in this section.

grain could be obtained to supply the needs of immigrants who might be sent out. He desired also a special census of the three settlements of Quebec, Three Rivers and Montreal, specifying the occupations of the people, their commerce, manner of living and of training their children, and whether there was a scarcity of women in the colony. He also wished to know whether there were any convenient mines which might be opened and worked, and with what prospect of success, and whether there was timber suitable for masts and general shipbuilding, should the necessary workmen be sent out.

Gaudais was not only to obtain information ; he was also to impart it. He was to instruct the colonists as to the policy and desires of the home government. The king was anxious that they should clear the largest possible quantity of land and live closely together in villages. To enforce this, a decree as to the resumption of uncleared land was passed. Regular troops were to be sent from France to drive back the Iroquois throughout the colony. Free trade within the colony, and the substitution of the Company of the Inhabitants for the Company of One Hundred Associates to conduct the external trade, were condemned. The profits of trade had induced the inhabitants to leave their lands and devote themselves to the fur trade, to the manifest detriment of the colony and to the unsettling of their habits and morals. Moreover, the competition of the settlers to secure the furs from the Indians had led to a considerable increase in the prices paid to the Indians, a result which was manifestly to the disadvantage of the French. Gaudais was particularly requested to impress upon the minds of the people the evils of free trade, in order to prepare them for the resumption of the trade monopoly by the king. New France, however, was not to lose the tribute which would be paid to the king as the result of the trading monopoly, for the revenue obtained was to be spent in the colony for the support of the government.

#### D'AVAUGOUR'S REPORT

The retiring governor, Baron d'Avaugour, made a report upon the colony just before leaving it in the latter part of

1663. He referred to Placentia, in Newfoundland, and Cape Breton and Gaspe, as having natural advantages in fisheries and trade, but as they could not supply themselves with provisions, their development was dependent upon that of Canada, which could furnish the necessary food supplies for all. Canada was, therefore, the key to the French position in North America, and its development had to precede that of the others. He had great faith in the future of the colony, especially of Quebec, its centre, which he expected to become one of the world's great cities. He thought, however, that all information regarding Canada should be carefully guarded from the English, and especially from those of New England. Should they once learn of the great potential riches of the country, they would certainly endeavour to secure it. It would be better, therefore, to lead them to believe that Canada was a mere wilderness, infested with Iroquois and other wild creatures. Incidentally we note that d'Avaugour was the first to point out the desirability of the French seizing upon Lake Champlain and the Hudson River, in order that Canada might have an open winter harbour to the south. This, indeed, was a far-sighted policy, and had the French king acted upon it, as he might have done at that time, the history of the North American continent might have been of quite another character.

### ECONOMIC ASPECTS, 1663

The passing of Canada into a royal province gave rise to certain difficulties between Quebec and Montreal of a political and religious nature not germane to this study;<sup>1</sup> but it is of special interest here, as illustrating the arbitrary methods of the time, to note that the Sovereign Council, which sat at Quebec, enacted burdensome regulations designed to give the merchants and traders of Quebec an artificial advantage over those of Montreal and Three Rivers. It was decreed by the council (July 9, 1663) that, for a month and eight days after the spring arrival of the merchandise at Quebec, no goods to be taken from the city were to be sold

<sup>1</sup> See 'The Colony in its Political Relations' and 'The Church and the Colony' in this section.

at wholesale rates. After that time one quarter of the goods might be sold for transport to Three Rivers or Montreal. It was further ordered that when the ships carrying the merchandise arrived at Quebec, members of the Sovereign Council should visit them and, after examining the character and quality of the goods, fix the prices at which they were to be sold. On the other hand, the merchants in the town were required to keep books open to the inspection of the authorities, showing the nature and amount of merchandise sold by them, the prices charged, and whether sold for cash or credit ; also a book showing the quantity of merchandise received, the nature of it, how disposed of, and to whom. To this extent was paternalism practised in New France.

The Sovereign Council undertook to regulate matters in New France with great detail, and in addition to the larger interests of the colony it covered nearly all the ground of our modern municipal councils. It heard the complaints of the merchants of Quebec concerning bad debts and long-deferred payments. The small farmers in the neighbourhood of Quebec, who brought their produce into the town to be sold to merchants and citizens, complained with equal vigour of the low prices they received as compared with the high prices they had to pay for imported goods. There being as yet few mills in the country for the grinding of grain, most of the farmers had to bring their grain to Quebec, where it was liable to be seized by the merchants for earlier debts. This was regarded by the council as taking an unfair advantage of the farmers, and it was ordered that the grain and flour of the country people should be exempt from seizure in Quebec.

The legitimate profits of the merchants are shown by an order of the council, dated December 16, 1663. They were permitted to charge sixty-five per cent advance on the selling price of goods in France, out of which they were to pay a revenue tax of ten per cent on imports.<sup>1</sup> Constant complaints

<sup>1</sup> This tax formed a part of the colonial revenues. The chief sources of revenue, however, consisted of an export tax of twenty-five per cent levied on beaver skins, ten per cent on moose skins, and the proceeds of the whole trade at Tadoussac. The revenue was commonly farmed out to individuals or corporations, who collected it and paid a specified sum over to the government.

arose that the merchants were not content with this profit, but persisted in charging exorbitant rates for imported goods.

Competition was arising between the English and French traders for the Indian trade in the upper regions of the Richelieu and above Montreal. In 1663, when the Sovereign Council was reconstituted, many furs from the western and northern territories were already going south to the new Dutch and English establishments. Prohibitions were immediately directed against this trade, but, as we shall see, it proved very difficult to enforce them.

The question of the liquor traffic was growing acute. Brandy was considered by the merchants an indispensable factor in the fur trade. It was admitted that in the long run the traffic would lead to the destruction of the Indians. It was also held by some of the most experienced traders that the industry of the Indians, stimulated by the prospect of brandy, would lead to a decline of the fur trade through the extinction of the fur-bearing animals, quite as certainly as it would result in the destruction of the fur-gathering Indians. By going ever farther afield, however, new Indians were to be met with collecting new furs, and as the regions to the west and north seemed as yet unlimited, enough Indians and furs were likely to remain in reserve for several generations to come.

At this period the first movement for the protection of native industry took shape in a prohibition by the Sovereign Council of the import, even from France, of hats, caps, coats, stockings or shirts. Then, too, the foundation of the ship-building trade was laid at Quebec. The Sovereign Council had built under its direction the brigantine *Galiote*, the first vessel launched at Quebec. It was to serve as a means of communication between Quebec and the neighbourhood, up and down the river.

A close survey of the activities of the Sovereign Council shows that the people of New France relied upon the government to protect them, to direct their energies, and to take the initiative in most matters of common interest. It is true that the paternal system of trade regulations, through

its constant interference with the normal play of competition and personal enterprise, prevented many abuses and no little individual suffering, such as are frequently incidental to competitive business. On the other hand, the system stifled individual initiative, and made the people unwilling to develop the natural resources of the country. Under free competition the colony might have become self-dependent, and even a source of gain, rather than of perpetual outlay, to the mother country.

At this period of transition a system of tithes was established for the support of the Seminary of Quebec and the clergy throughout the colony. The rate was at first fixed at one-thirteenth, but, owing to some complaints, it was afterwards reduced to one-twenty-sixth. Originally tithes were to be levied on all kinds of natural produce according to the ruling of Tracy, Courcelle and Talon, in their edict of August 23, 1667.<sup>1</sup> But for years they were practically levied only on all threshed grain. In the course of time custom took the place of law. And later on (in 1705), when some members of the parochial clergy sought for a return to the original ruling, they were debarred from their petition in court.

In 1663, before the new immigration movement began, there were about 2500 people in Canada, 800 of whom were in Quebec. The colony was still scarcely able to feed itself, and provisions had to be sent from France with the new immigrants and the troops which arrived to repulse the Iroquois.

#### THE WEST INDIA COMPANY

In France, during the year 1663-64, Colbert was rapidly maturing his plans for the fostering of national industry, trade and commerce. He studied in particular the conditions of Holland, which was then leading the world, not only in the industrial arts, but also in commerce, shipping and

<sup>1</sup> This was the date of the ordinance and not September 4, as has erroneously been stated. Under its authority tithes were to be levied on all kinds of produce, 'either grown by the work of man or of natural growth.' See Chapais, *Jean Talon, Intendant of New France* (p. 179).

prosperous colonial enterprise. The Dutch East India Company was particularly successful, having paid from 1605 to 1648, on an average, about twenty-two per cent profit on its capital. After 1649, owing to the war in which Holland was engaged, the profits fell to seventeen-and-a-half per cent, which was still a handsome return. Colbert thought that it was possible to secure all these benefits for his country by legislative enactments and administrative control. He certainly accomplished much for French industry by the establishment of art and technical schools, but he was much less successful in the development of foreign trade. Following what he considered the Dutch model, he reorganized the East and West India Companies. To these were given a monopoly of the colonial trade. The West India Company was established on May 28, 1664. It represented the union of various interests in the West Indies, South America and Canada, including Acadia. The preamble to the edict establishing the company declared that the king was anxious, during the period of peace, to extend the commerce of France, and that he considered ships and colonies as indispensable means for the securing of his object. The failure of the Hundred Associates was attributed to the lack of capital, but the new company was considered powerful enough to carry out the desired purposes. Partnership in the company was open, not only to all Frenchmen, but to foreigners as well. While subscriptions to stock were to be not less than 3000 livres, only those contributing 10,000 livres and upwards were to have a voice in the affairs of the company, and only those contributing 20,000 livres or over were eligible for positions on the directorate. The property of the company was to be free from seizure by the king on any pretext. As in the case of the Hundred Associates, the general directors in Paris were to have complete charge of the affairs of the company, both at home and abroad. The company was granted, for forty years, a complete monopoly of all commerce and navigation in the colonies under its administration. The fisheries alone were still reserved as a free field for private French enterprise. A bounty of forty livres per ton was granted to the company on all merchandise exported from

France to the colonies or from the colonies to France. Colonial produce on entering France was to be free from import duty, and from export duty on being re-exported in French vessels. In other words, free trade within the empire was the colonial fiscal policy.

The company was given complete feudal rights over the lands of New France, and might sell or grant them at such rates and under such conditions as seemed best to it. The colonists were given the same rights of citizenship as the people of France, and artisans who carried on their trade in Canada for ten consecutive years were to be considered as fully qualified tradesmen in their several branches. Should they return to France, they might establish themselves in their respective trades in any town or city of the kingdom. As a final mark of favour, and as an assurance of financial support, the king promised to furnish one-tenth of the funds required by the company for the first four years. At the end of that time, if prosperous, the company might repay the advances without interest, but if the company had suffered loss, it might be deducted from the advances made.

These preparations for the new colonial experiment indicate the very deep interest which the greatest of French ministers had in the colonial development of France. But it soon became evident that his purpose was not to be realized. The West India Company was no improvement upon former monopolies. The interests of the company and the colony were in conflict from the first. The company found it necessary to take unusual precautions for the protection of its monopoly. Numerous enactments, many of them very vexatious, were passed, especially as to the purchase and export of furs. Thus, in 1665, the agent-general of the company obtained from the lieutenant-general, Tracy, authority to place one or two representatives of the company on each vessel in the harbour of Quebec, in order to prevent smuggling. Another official order prohibited any person from visiting such vessels between nine in the evening and four in the morning. The company was empowered to collect the colonial revenues, which were chiefly derived from a tax consisting of one-fourth of the beaver and one-

tenth of the moose skins exported to France ; hence these drastic regulations. The expenses of the colonial government, estimated at 45,950 livres, were to be borne by the company. Thus was the company the virtual ruler and dictator in the colony.

Notwithstanding all its privileges, the West India Company did not prosper. In eight years it became bankrupt. It did a large volume of business, and employed about one hundred vessels and many servants, but the returns were meagre in proportion to the outlay, and the extent of its business merely hastened the crisis. Finally, in December 1674, an edict of the king was issued, revoking the powers and privileges of the West India Company, and repossessing all the lands and colonies granted to it. The trade was thrown open to the colonists and the people of France, and the company was granted 1,297,185 livres as compensation for its losses.

#### THE BRANDY QUESTION

The industry and trade of New France consisted of three main branches—first, the trade of the merchants who imported goods from France and sold them to the settlers ; second, the trade of the settlers with the merchants and others who purchased from them the natural products of the country ; and third, the trade of the merchants with the Indians. From the last arose the difficulty of the liquor traffic with the savages. After the transfer of the colony to the West India Company this was the occasion of endless disputes, involving large sections of the colonists, from the highest to the lowest ranks. The church was directing against the brandy traffic all its powers, both ecclesiastical and secular. The civil authorities admitted that, as a general principle, the attitude of the church was right enough, but they held that in practice it would mean the ruin of French trade and, eventually, of the Catholic religion in America. The Indians, if entirely denied brandy, would certainly take their furs to the Dutch at Albany. There they would not only obtain rum—which, it was maintained, was at least as demoralizing as brandy—but, while helpless under its

influence, they would be subject to the preaching of the heretics, with disastrous consequences for all eternity. The real issue, therefore, which the church and the colonial government had to face was whether the Indians should have brandy and orthodoxy at the hands of the French, or rum and heresy at the hands of the Dutch and the English. The bishop and the Jesuits, while recognizing the evils of rum and the still greater dangers of Calvinism, refused to admit that these would necessarily follow the abolition of free trade in brandy ; nor were they altogether convinced that the savages who came down to the French coasts seeking brandy would remain to pray. The church maintained that the uncorrupted Indian had no natural craving for liquor, and that if he were prevented from acquiring the taste for it he would not be tempted to go to the Dutch settlement in search of rum. The church also maintained that the Indians were rendered indolent through the use of intoxicants, while the French traders maintained the reverse. The traders contended that the craving for liquor induced the Indians to prosecute the chase with unusual vigour and industry in order to obtain the means of purchasing brandy.

The prolonged controversy was one which it was difficult to settle in favour of either side. The attempt was therefore made to satisfy both sides. The church being very powerful in the council, the decrees of prohibition were freely issued by that body in accordance with the demands of the church, while the merchants and traders generally disregarded them in practice.<sup>1</sup> For half a century or so the debate on prohibition maintained a perennial vigour throughout the colony, alike in council and camp, on the farms of the settlers, and at the shops of the merchants. Similar controversies and debates took place in the English colonies between the clergy and the traders, and with very similar results. Meanwhile the Indians were being decimated by drink, and the traders had to go farther and farther afield in search of

<sup>1</sup> Laval and the Canadian clergy were undoubtedly on the right side of the controversy. They fought for humanity, for morality, for social order, for the observance of divine and natural law. In our modern days the civil power in Canada has strictly prohibited the sale of intoxicating liquors to the Indians through the whole North-West territories. (Note of the special editor.)

Indians and fur-bearing animals, both doomed to destruction before the commercial enterprise of the rival traders of France and England.

#### JEAN TALON, INTENDANT

In 1666 Tracy had subdued the Iroquois. The progress of the colony was now possible, and the able and resourceful Talon, who had arrived as intendant in the preceding year, at once began to lay the foundations for an extensive development of the colony.

The keynote of Talon's successful administration of the office of intendant was his recognition of the principle, that if Canada was to be made a powerful colony it had to be developed primarily from the point of view of its own needs. This was also Champlain's idea, though he had not the opportunity to realize it. It was not altogether in accordance with the idea of the minister, but Colbert was sufficiently large-minded to appreciate the arguments of the intendant, and to tolerate at least much of his work for Canada. No other intendant had so enlightened a view of Canadian possibilities, but Colbert's successors could see only Canada serving France, never France serving herself through an adequately developed Canada.

In the instructions given him as intendant, and dated March 23, 1665, Talon was required to administer the public funds, and to foster the clearing and cultivation of lands and the establishment of industries. To these ends he was instructed to introduce regulations similar to those in force in the French towns and cities. Too much land having been taken up, and the people having become scattered, the uncleared lands were to be resumed by the crown and regranted to actual settlers. Thus would the people be brought nearer together. As the king intended to send out annually a number of immigrants, the intendant was required to have thirty or forty farms cleared each year at the king's expense and sown with grain, so that they might be ready for the reception of the immigrant farmers. He was required, also, to be familiar with the agricultural conditions of the colony, and to encourage the farmers to cultivate first grain and

afterwards vegetables and hemp, and also to raise live stock. The colony was to develop industry and commerce in order to become, as far as possible, self-sustaining in the matter of clothing, shoes and the simpler house furnishings. Having learned that the country was rich in timber, the king proposed to establish shipbuilding, and desired to have suitable timber carefully preserved. He thought it well, indeed, that the colonists should undertake shipbuilding on their own account, and in this connection utilize, if possible, the products of their copper, lead and iron mines. Colbert was anxious to be kept well informed on all that went on within the colony, and the intendant was invited to give his comments upon the instructions which were sent to him.

Talon lost no time in taking advantage of this invitation. When he had fully surveyed the situation, he saw that the method chosen by Colbert for the development of the colony —through a powerful monopolistic company—was almost the worst possible. Replying to the minister in October 1665, he reported that the colony was full of new hope and activity, as the result of the royal assistance in driving back the Iroquois and in sending new settlers. He was favourably impressed with the agricultural possibilities of the country : within fifteen years the colony should produce not only sufficient grain, vegetables and fish for its own support, but also enough for the French West India Islands. As to the detailed instructions sent him, Talon said frankly that in themselves they were excellent, but that, when read in the light of the powers and privileges granted to the West India Company, they were very confusing ; in fact, he could not reconcile them at all. If the king had no particular interest in Canada and its normal development as a self-sustaining colony, but valued it merely for what might be immediately extracted from it, then the company and its privileges might be all very well ; but if the king had any interest in making a colony which should be prosperous on its own account, and eventually valuable to France, then the company and its privileges were very detrimental to it. Through its agents the company had already shown that it would permit no freedom of trade, either with foreign countries or with France

JEAN TALON

*After the painting in the Hôtel-Dieu, Quebec.*







itself. Under these conditions the company would simply exploit the colony for its own immediate benefit. How, then, was it possible for him to follow the king's instructions to foster trade and commerce among the people?

In his reply, written in the following spring, Colbert attempted, in a few generalities, the impossible task of reconciling the charter of the West India Company and the instructions to the intendant. The king, he said, did not believe in depopulating France in order to people Canada. Too many settlers would only weaken the colony. What they needed was a sound system of justice and police, and a careful military training to guard themselves against all enemies. Talon's apprehensions regarding the powers of the company were not well founded. Still, the king had yielded so far as to induce the company to give up some of its exclusive privileges, such as that of trading directly with the Indians; but he was doubtful if this would be of advantage to the colonists.<sup>1</sup>

Finally, Colbert found himself retracting much of what had been said in the instructions to the intendant with reference to the encouragement of manufactures, and that the people should cultivate the soil instead of thinking too much of making clothing and shoes. This correspondence throws much light upon the subsequent conflict of ideas in many of the instructions sent from France, and also upon the great change for the worse in the colonial policy when Colbert ceased to be minister and the king undertook to deal with the colony directly. Two industries the king seemed inclined to favour—one was shipbuilding, and the other the manufacture of staves, which in France were all imported. Under Talon's direction these and other industries were duly fostered.

#### COURREURS DE BOIS

There were, apart from the Indians, only about 3400 people in Canada in 1666. Opportunities for trade, except

<sup>1</sup> In fact, it was afterwards found that this concession simply enabled the company to utilize the services of the colonists in collecting furs from the Indians, to be disposed of to the company at prices established by itself, in exchange for goods also supplied at prices of its own fixing.

in furs, were very limited. The colonists were forced to live very frugally to keep out of debt. Hemmed in on every side by minute regulations, and without scope for the exercise of personal enterprise, the ambitious adventurous element in the colony naturally sought for free activity beyond the range of the company's monopoly and the insistent regulations of the council. They therefore took to the woods and realized freedom with the Indians, carrying on, with varying fortunes, such trade as was possible, in defiance of the law.

From the time of the charter of the West India Company and the incoming of the new immigrants we perceive a rapidly increasing body of correspondence, instructions and decrees, alike from the home government and the local council, attempting to deal with the problem of the *courreurs de bois*. This problem had at once religious, social, political and economic aspects. In its economic aspect it was a serious detriment to the colony. The enterprising young men, who became *courreurs de bois* and intercepted the Indians on their way to the regular markets, were naturally placed in the condition of outlaws. This prevented them from coming back to their farms or taking any part in the regular work of the colony. To protect themselves they had to keep constantly beyond the clutches of the law, which meant that they remained constantly with the Indians, and their lives were thus assimilated to those of the savages. Once they had tasted the sweets of freedom, though that freedom was accompanied by the natural hardships incident to the wilderness, they seldom wished to return to the limited, plodding life of the habitant.

As early as 1670 Talon reports that about 1,200,000 livres' worth of beaver had gone to the English at Boston and the Dutch at Orange and Manhattan. The Iroquois, allied with the Dutch and English, furnished the chief medium through which the western Indian trade was being diverted from the French to their southern rivals. This trade was steadily fostered by the more profitable exchanges which the English offered when they became masters of New York, in 1664. The Indians obtained from the Dutch and English as much for one beaver skin as the French offered for four. To check

the increasing drift of the northern and western trade to the English was one of the objects of the governor, Courcelle, in making his famous voyage from Montreal to Lake Ontario in 1671.

The rapid increase in the number of *coureurs de bois* more than kept pace with the immigration to the country. This was one of the few features of the Canadian outlook which gave pain to Frontenac on his arrival in the colony. In 1672 he reported that the laws against the *coureurs de bois* had had no appreciable effect. They were steadily increasing in numbers. They threatened to build forts in the West and divert all the fur trade to the Dutch and English settlements. He compared them to the banditti of Naples, or the buccaneers of San Domingo.

In 1673 a royal decree was issued prohibiting the people, on pain of their lives, from leaving their homes and wandering into the woods for longer than twenty-four hours, without special permission from the government. Three years later another ordinance prohibited all persons from going to the homes of the Indians to trade for furs. The punishments threatened were very severe, but instead of stamping out the evil they seemed only to increase it, because many who were at first merely occasional traders were converted into permanent outlaws. Though still attached to their French nationality, and in time of international troubles taking, as a rule, the side of their compatriots, yet in their trade they were forced to carry their furs to the English and Dutch, and to induce the Indians to accompany them. They thus diverted much of the valuable traffic in furs and the return trade in goods from the French to the English. The process of cumulative outlawry continued until the numbers of the *coureurs de bois*, relatively to the population of the colony, became alarming. Finding no other method of dealing with the situation, the government was at last constrained to declare an amnesty to all past offenders, on condition that they should return to the settlements. Some of them did so and settled down quietly, but the majority could not endure the paternal restrictions of colonial and parish life. Indulging in occasional trips to the woods at the hunting seasons, they

eventually came under the ban of the law once more, and found it impossible to return to the settlements except for stealthy visits.

Since the enterprising individuals of all classes scorned the restraints of the colonial system, we can understand how difficult it was to build up the central body of the colony, to have the land cleared and cultivated, and a sufficient quantity of food supplies natural to the country produced to meet the needs of the colony, not to mention the other French possessions in America. In 1670 the export trade of the colony consisted almost exclusively of furs, while the imports included all the varied merchandise of the colony, even to a partial supply of food.

#### TALON'S ACTIVITIES

A paternal government, by discouraging individual enterprise, renders its subjects dependent upon it for all progressive undertakings. Talon, therefore, faced a situation which compelled him to take the initiative in enterprises for the welfare of the colony. Recognizing the possibilities of Canada as a shipbuilding centre, he undertook to foster all forms of the shipping trade. He preserved the more valuable shipbuilding timber, undertook the building of ships on the king's account, encouraged the cultivation of hemp, and stimulated the fishing industry on the river and in the gulf. All these activities he had in mind while arranging for the location of the new settlers, who were then arriving in considerable numbers, being sent out by the home government.

In 1669 the West India Company, as we have seen, became so hopelessly involved that it gave up its control of the Canadian trade, which was that year thrown open to the people in general. This change gave Talon a much freer hand, and he redoubled his efforts to establish and encourage the fisheries. Desiring to set a good example, he himself built a vessel at Quebec, freighted it with fish and salt provisions, and sent it on a venture to the West Indies. The cargo was to be exchanged for sugar and other West Indian goods. These were then to be taken to France and sold, and the proceeds invested in fresh goods to be brought to Canada.

He expected that before long the Canadian and Acadian colonists would supply the French West Indies with all the salt fish and other provisions which they required. Hitherto this trade had been absorbed by the Boston settlement, which, though no older than the Canadian, was a model of individual enterprise, industry and thrift.

Colbert approved of Talon's plans, and especially of three central objects : first, to increase the population and train the people in arms ; second, to encourage the cultivation of the soil ; third, to build ships and develop maritime commerce. These features remained the keynote of his policy, as revealed in his letters, both private and public. Colbert also approved of Talon's idea of opening up trade on a reciprocal basis between Canada and Boston. Talon had hoped to obtain from the English a few ship-carpenters and millwrights who might assist in shipbuilding and the erection of sawmills, of which the colony was in great need.

Meanwhile, the enterprising intendant was encouraging the western explorations of La Salle in the hope of discovering the copper and other mines reputed to be in that region. He also sent an expedition to report upon the trade possibilities of Hudson Bay, and to discover whether ships could winter there. The French court, however, did not sympathize very fully with these western enterprises, as tending to dissipate the energies and the population of the colony. This, it must be admitted, was one point on which its apprehensions were fully justified.

Talon strongly desired to foster new settlements. Consequently, when he had occasion to purchase grain for the king's service, he sent agents, well supplied with goods for exchange, throughout the agricultural districts, instead of dealing with the close corporation of traders at Quebec, who always insisted upon middlemen's profits. For this he was vigorously condemned by the merchants, but he was able to show that, without such assistance, some of the newer settlers would have failed. Herein is another evidence that a government which undertakes in any large way to supplant private enterprise is continually forced to add to its undertakings in order to ensure the success of its earlier efforts.

At the same time, no one did so much as Talon himself to set an actual example of vigorous private enterprise and initiative. Partly with an eye to business profits, and partly to aid the colony and show his faith in it, he invested considerable sums in colonial undertakings. Thus he took up land and cleared it with a view to placing immigrants on it, and he induced other wealthy Frenchmen to do likewise. He built a brewery in Quebec, in order to encourage, among both French and Indians, the use of a beverage less intoxicating than brandy. As a rule, however, the Indians desired quicker returns for their outlay. A number of French capitalists, following Talon's example, gave employment to many workmen, especially in clearing lands, and thus tried to benefit the colony. As in later days, much land was taken up under a promise of clearing and settling it, but these promises the holders were either unable or unwilling to fulfil, and the lands were held for speculative purposes. But, by impeding settlement, they defeated their own purpose, and many a would-be speculator became hopelessly land-poor. It was found necessary to issue decrees and ordinances to remedy these evils. Thus, in 1672, a decree of the Council of State ordered the resumption by the crown of one-half of all the unclaimed lands granted along the rivers. These lands were to be regranted to settlers who would undertake their cultivation.

In the last instructions issued to the intendant Talon we find considerable development in Colbert's economic policy for the colony. Now that the West India Company had proved hopeless as a means of developing the country, he looked to the people themselves to accomplish something. The intendant was to have freer scope for his plans. A rough geological survey of the country was to be made to determine what useful minerals it contained and what mines might be opened. Already it was known that the colony was rich in iron, copper and lead, while coals were being exported from Isle Royale (Cape Breton) to Boston. Even if the fur trade, whose prospects were not quite so bright at the time, should die out, the minister considered that it would not be an unqualified evil. He felt that the people might be more profitably employed in other lines of trade more permanently

associated with the welfare of the settlements, and, therefore of the colony. The policy of Colbert's instructions to the intendant was all that could be desired, exhibiting as it did both insight and foresight. But the character of a colonial settlement cannot be recast on short notice to suit the changing convictions of the home government.

In 1672 Frontenac succeeded Courcelle as governor, and Talon went back to France. The new governor was much pleased with the general prospects of the colony. He found that foreign trade was being opened up with the English colonies and the French West Indies. Not much had yet been achieved, but sound foundations of numerous enterprises had been laid by the active and far-sighted intendant, and the colony was full of hope. Already the settlers had more grain than they required, and a market must be found for it, since upon its sale depended the possibility of making further advances in the gulf fisheries. The West India Islands obviously furnished the most natural market, and the governor reports that two vessels had gone thither in 1662.

Though the prospects of Canada at this time seemed so fair, yet the peculiar relationship of the home government to the colony rendered it very susceptible, especially in its economic aspects, to changes in the policy of the French court. The court insisted upon using its arbitrary power to regulate colonial trade, industry and domestic affairs, even to the most minute details. However well intentioned the government might be, and however voluminous its correspondence with officials in the colony, yet it was necessarily ignorant of the differences, in many fundamental matters, between French and colonial conditions. From the various counsels which it received from the colony it did not always select the best. Moreover, it frequently insisted upon taking its own view of what was best for the colony. The result was a lack of that steadiness of policy which is essential to permanent and successful development, and to the encouragement of freedom of action. In spite, therefore, of the best intentions, enterprise was stifled. The people hesitated to venture on their own account, but looked more and more to

the government to take the lead, to clear the path for them, to direct and protect their every effort and to ensure the promised results. There were passed, and presumably enforced, more than enough minute and conflicting regulations to have destroyed any industry, no matter how prosperous at the beginning.

#### CURRENCY AND EXCHANGE

Meanwhile, an interesting and essential factor in trade had been gradually growing in importance, namely, the currency, or medium of exchange, and, now that the colony was making rapid progress, the currency question had assumed quite a prominent place. So long as the trade between France and Canada was in the hands of monopolistic companies, or a small number of associated traders bringing out goods and taking home furs, there was little occasion for any special medium of exchange. In Canada, hitherto, there had been little need for money, as most trade was carried on by means of barter, and beaver and moose skins furnished the usual standard in all large transactions. However, as immigration increased, and the trade of the towns began to grow in volume and complexity, metallic money came into ever-increasing demand. The first regulation dealing with the currency was passed in 1654. It declared that, since in the previous year the coins of France which had become inflated in value had been reduced by one-sixth to bring them to their former value, the money in Canada should be reduced to the same basis, there being allowed, however, 'on account of the risks of the sea,' one-eighth of an increase over its value in France. The object, of course, of this overrating was to retain in the colony, if possible, what little money arrived there. We find, however, that this margin was not sufficient. Hence it was ordered, in 1661, that from that time onwards the half-écu, or half-crown, should pass in Canada for twenty-four sols, and the other gold and silver coins in like proportion. As the official value in France was sixteen sols, they had been circulating in Canada for eighteen sols, and the new rating was, therefore, an increase of one-third on their previous value. But we find that, in practice, the increase was

regarded as one-fourth. In order to make definite what was involved in this general increase, a regular table of coins and their values was issued in 1662. This valuation held good until 1672.

In general, the values in Canada were regarded as one-third above those in France. Hence, the appropriations made by the French government were regularly calculated in Canada at an increase of one-third on the amounts stated in the French returns. The two valuations were referred to as 'money of France' and 'money of the country.'

The copper coins were treated separately and were given an even higher rating. The sol was rated at twenty-five deniers, and the liard at six deniers, being practically double the value in France. For a time these regulations had the desired effect. The overrated copper coin became a form of merchandise, which it was profitable to take to Canada to exchange for furs. The cheaper coins were always taken—the colony was soon in danger of being flooded by them—while the coins of higher value were rare indeed. This led to the passing of an ordinance by the new Sovereign Council in 1664, reducing the liard to three deniers, and in the year following it was reduced to two deniers. This was due to the fact that the double, valued at two deniers, was being circulated indiscriminately along with the liard, whose normal rating was three deniers. Silver money remained very scarce in the colony.

We find the Canadian merchants sending to the king a petition characteristic of the paternalism under which they lived. They point out that they are very hard pressed for money, and their customers still more so. Having now some surplus grain to dispose of, they petition that the king should send out a regiment well supplied with money, that the soldiers and officers may buy the grain and eat it in the country. Their desire was eventually realized when Tracy brought out the Carignan-Salières regiment.

Various regulations were discussed, and eventually passed by the council, virtually making wheat, at current market rates, a legal tender for all past debts. It was found difficult,

however, to fix a rate which would keep pace with the changes of the market.

In 1663 Colbert conceived the idea of making a special currency for the French colonies in America, particularly the West Indies, but it was not carried into effect before 1670, when three coins were issued—two silver coins, one for fifteen and the other for five sols, and a copper coin of two deniers. Apparently not much of this coinage came to Canada, for there soon arose an agitation for a special Canadian coinage, though nothing came of it.

After Tracy's arrival with the troops, and the subsequent influx of immigrants, the currency situation was much relieved. One result, however, was an over-supply of sols, which were considerably overrated. They were reduced, therefore, in 1667, from twenty-four to twenty deniers. This raised an outcry, owing to the threatened loss to the holders of these coins, and a fund was raised by subscription to indemnify the poorer people who might suffer from the reduction. Incidentally, it indicated that the amount of money in the colony was growing in volume and that it was pretty extensively circulated.

As money became more plentiful, the merchants were less willing to accept articles of trade, such as wheat and moose skins, in regular payment. Beaver was yet quite generally acceptable, but it was found necessary to pass an ordinance, in 1674, requiring the merchants to accept moose skins at their market price in payment of debts. Further complaints being made as to the rates at which special coins were circulated, an ordinance of 1680 required that all coins should be circulated in Canada at a uniform rate of one-third advance on their value in France.

#### TRADE REGULATIONS

In 1676 a market was established in Quebec. It was to be held twice a week for the sale of grain, fowls, game, butter, eggs and other country produce. At the same time the people were forbidden to hawk their wares from door to door, as formerly. Inspectors of weights and measures were also appointed. The price of bread was to be fixed by a mass

meeting of the inhabitants, summoned twice a year, in the months of April and November. These mass meetings were also permitted to discuss ways and means for increasing the prosperity of the colony. The Sovereign Council might appoint two of its members to preside over these meetings. The recommendations proposed were to be forwarded to the council, which might take action on them, if deemed advisable. These regulations were published in May 1676, and in December of the following year a general assembly of the people was summoned by the lieutenant-general to regulate the price of wheat and bread. This was due to popular clamour against the irregularities of the bakers. The first evidence we have of the council taking action on the recommendations of such a mass meeting of the people is in 1686, when an *arrêt* or decree of the council was issued, giving effect to the recommendations of the people as to the prices of several articles.

The various handicrafts, or small trades, were regulated as in France. The artisans were required to elect a master for each trade, who must take an oath before the lieutenant-general civil and criminal. These masters had the right to visit and inspect the workshops of their respective trades, and exercise the same powers and privileges, and receive the same honours, as similar officials in Paris.

The masters and pilots of the shipping on the St Lawrence were required to furnish minute details as to their cargoes, their source and destination, and the prices to be charged, all this being according to the usages and customs of France. Domestic servants were prohibited, under severe penalties, from leaving their masters, and should they do so, all others were prohibited from receiving or harbouring them. Millers were allowed to take toll for grinding grain in the proportion of one to fourteen.

Those going to Canada to trade, whether from France or elsewhere, were forbidden to sell anything more than was declared in their invoices. They must not sell liquor or tobacco retail, nor sell anything at all to the Indians, either directly or by agents. They must not manufacture clothing of any description. Each year, immediately after the arrival

of the ships from France, there must be made out a list giving the prices at which every kind of merchandise was to be sold. These regulations were due to the rapidly growing practice of the retail selling of goods by the traders from their vessels, to the disadvantage of the local merchants, who in turn were hedged in by all manner of minute regulations. Powder and lead were alone exempted from these conditions. The merchants from the vessels, however, were allowed to sell retail during the three months of August, September and October. But, as we have already seen, the Quebec merchants were careful not only to protect themselves from the transatlantic traders, but from the competition of their fellow-merchants further up the river and nearer the Indian markets. Thus the non-resident traders were not permitted to take their wares above Quebec. They must sell to the Quebec merchants, who would supply the western traders of Three Rivers and Montreal. Moreover, the merchants of Montreal and Three Rivers were forbidden to prevent the Indians from coming down the river to Quebec to trade. Further, when the Indians came to Montreal, the people were not to meet them on the outskirts of the town and tender them urgent advice to trade with this or that store. The Indians must be free to trade where they would, without the kindly assistance of new-found friends; nor was any one permitted to take goods to the tents of the Indians by night to trade with them there. From these regulations we gather that even in those early days the methods of the modern 'barker' and 'runner' were already well known.

#### ILLICIT TRADE

When the West India Company was finally wound up in 1674 and the trade of the colony once more thrown open, the condition of affairs reverted to that of 1663-64. The revenues of the colony were to be supplied by a tax of ten per cent on imports from France, and a tax of one-fourth on beaver and one-tenth on moose skins. The tax on furs and skins and the monopoly of the trade at Tadoussac were farmed to Nicholas Oudiette and Co., who were the highest bidders. This meant that, while all might buy or sell beaver and

moose skins within the colony, they could not be exported by any but the farmers of the revenue. On receiving them at their stores, Oudiette and Co. collected the tax of one-fourth on the beaver and one-tenth on the moose by weight, paying for the skins at a fixed rate. In return for their privileges Oudiette and Co. paid a lump sum. When payments were to be made in Canada on account of the king's revenue, an order was usually given upon Oudiette and Co., who were thus constituted the bankers or financial agents of the king's government in Canada. Later, when the expenditure in the colony became very much greater, especially for military reasons, the practice became common of drawing bills upon France and selling them to the merchants in Canada.

One natural consequence of throwing open the internal trade of the colony to the inhabitants was to produce an exaggerated expectation as to the gains which could be made by engaging in the fur trade. As the settlers in the outlying districts were more or less in contact with the Indians, there was a very marked increase in the hunting and trading activities of the people. As a result, a large number of the younger settlers were disposed to neglect their agricultural work. They were content with just enough cultivation to provide them with the necessities of life, and even that cultivation was very poorly done. In the keen competition for furs two undesirable results followed. The settlers tended to go farther and farther into the woods to intercept the Indians coming to market. Also, knowing that brandy was the most tempting article of exchange which could be offered them, trade in that article was greatly increased. Special licences had been issued to certain persons, authorizing them to go to the Indian territories to trade, but in 1676 a royal decree forbade the issue of any further licences, and recalled those which had been issued. At the same time the inhabitants were forbidden to go on hunting expeditions into the woods farther than one league from the clearings. In spite of the close array of prohibitions intended to guard against the prevailing evils, the younger and more enterprising habitants very generally disregarded the laws, and it

was officially reported that the greater part of the settlers on the frontiers were directly or indirectly engaged in illicit trade with the Indians. When efforts were made to bring them to justice, many of them escaped to the woods, and permanently recruited the ranks of the *coureurs de bois*.

In 1679 the intendant Duchesneau, who had succeeded Talon, in writing to the minister, the Marquis de Seignelay, reported that the *coureurs de bois* had become intolerable. They openly despised the king's commands, while the settlers gave them shelter and supplies and shared in their profits. Even the merchants and the nobility were in league with them. In fact, it was asserted that there was not a family of quality in the colony which had not relatives among the *coureurs de bois*. Nay, the very governor himself was accused of being interested in this illicit traffic through the agency of the celebrated Dulhut, a leader of the *coureurs de bois*. The number of *coureurs de bois* was estimated at from five to six hundred. They were a very improvident and dissolute set of fellows, and the chief profits of their trade went to their allies in the settlements, the merchants and others, who supplied them with wares, took their furs, and sheltered them from the penalties of the law. Moreover, the merchants who obtained the furs by these illicit means disposed of them in like manner, sending them to the English traders instead of handing them over to the farmers of the king's revenue. They thus escaped the tax of twenty-five per cent, thereby further augmenting their profits and defrauding the revenue. The farmers of the revenues were suffering greatly on this account, and were declared to be threatened with bankruptcy. The intendant complained that the governor, Frontenac, who was suspected of a personal interest in the illicit trade, would afford no assistance towards correcting these evils, saying that the situation was past redemption by any repressive measures, and that the only remedy lay in granting a general amnesty which would permit the outlaws to return to the settlements once more. The intendant himself admitted that all his ordinances and regulations had been of no avail to lessen the evil. In 1680 he was forced to

acknowledge that a general amnesty was the only solution, but he proposed that freedom to return to the colony should be conditional upon the outlaws informing the government who were the merchants and others allied with them in the illicit trade. There were, however, too many influential people involved in the traffic to permit of this being carried out. The first general amnesty was proclaimed about 1681, though the exact date is not given.

#### SPANISH SILVER CURRENCY

One of the important consequences of the increasing fur trade with the English, as a result of the illicit traffic referred to by the intendant, was the amount of Spanish silver currency which these traders brought back with them. The English not only paid much higher prices for furs than did the French exporters, but they sold their goods at much lower prices than the French merchants. Still, it was not always convenient as yet to bring back goods, nor was it easy to dispose of them undetected. Hence, though many goods were actually brought, the traders obtained considerable quantities of cash. The metallic currency furnished from the English settlements was chiefly the Spanish silver dollars, or piastres, and their fractions, halves, quarters and eighths. The volume of these Spanish coins which began to circulate in Canada bore testimony to the extent of the illicit traffic carried on between the French and the English. The English traders, however, managed to pass on to their French friends a great many light and worn coins, and consequently numerous complaints arose about the difficulty which the French merchants were making over receiving these at their face value. An ordinance was passed in 1681 providing that all foreign money should pass by weight, with the one-third increase in value according to the general usages of the country. The full-weight dollar was to be accepted at three livres, nineteen sols, one denier, while the light coins were to be reduced eleven sols for every grain lacking in weight. All persons were forbidden to refuse these coins at this valuation. It was, of course, impossible in a colony like Canada that

the people should be able to weigh the light coins ; consequently, only in large transactions in Montreal and Quebec could the law be carried out. To remedy this situation another ordinance was passed, in 1683, providing that the piastre, or dollar, if of full weight, should pass current for four livres. All the coins, however, were to be stamped with the fleur-de-lis, and the light coins to be arranged in four classes stamped with Roman numerals and ranging in a definite scale of values, the same to apply to the smaller coins. None were to be circulated without the stamp, and none were to be refused which bore it. This settled the matter for a time.

#### OFFICIAL CORRUPTION

The farmers of the revenue proposed that when the *coureurs de bois* were all called in and disposed of, the right to engage in the Indian trade, particularly towards the west and north, should be granted, under licence, to a limited number of trusted persons, say from twelve to twenty. They desired to establish stores at some of the frontier posts to issue goods and receive furs. The intendant felt, however, that this was simply giving to the farmers of the revenue a monopoly similar to that held by the West India Company. The policy of issuing licences, however, was adopted in the spring of 1682, and twenty-five canoes were engaged in the fur trade with the distant posts.

Frontenac claimed to have done his utmost to suppress the illicit trade with the English, but alleged that the intendant and council frustrated his efforts. The English, he said, paid one-third more for beaver than the farmers of the revenue and paid in cash, or, if in goods, they exchanged them at one-half the price charged by the French. The intendant returned the compliment by accusing the governor of being deeply involved in the illicit trade with the English, and maintained that 6000 livres' worth of furs had been thus disposed of by him and his allies among the officials. After taking evidence from all sources, the king came to the conclusion that the balance of proof was against the governor, and declared that he had no alternative but to recall him,

which he did. Yet Le Febvre de la Barre, who succeeded Frontenac in 1682, was soon accused of like practices by both the intendant Duchesneau and his successor de Meulles. In fact, from this time on until the loss of the colony, the governors and leading officials were more or less deeply involved in illicit trade and the favouritism which accompanied it. The colony was constantly distracted by disputes between the rival factions mutually accusing each other of corruption. The court did not take any firm measures to deal with these accusations. There was bred a spirit of official cynicism and flagrant disregard of regulations, which culminated in the wholesale plunder of the colony by the intendant Bigot and his associates.

After the departure of Frontenac the colony drifted once more into active hostility with the Iroquois. The relations with these Indians were badly managed by the successive governors, La Barre and Denonville. The French settlements were being invaded and trade was demoralized. The *coureurs de bois* multiplied, and, to avoid the drastic penalties inflicted by the French law, carried their furs to the English, and even acted as guides to their trading parties going to the western Indians.

#### CANADA AND ACADIA

In 1676 the people of Quebec began to take an interest in the Acadian colony. That colony was now under the supreme control of the Canadian governor. It was, however, still managed by local officials whose rival jurisdictions and constant quarrels, in their efforts to supersede each other in the favour of the French court, appeared rather to please the authorities than otherwise. This spirit of rivalry seemed to afford a guarantee that the various officials were keeping each other in check and enabling the court to obtain full information as to what was going on in the colony. The court does not seem to have realized that the ultimate effect of these conflicts was to paralyse the real development of the colony, and to encourage, rather than diminish, the corruption. The special interest which Canada had in Acadia related chiefly to the fisheries, and the market which

they furnished for Canadian produce. The merchants were interested also in the possibility of building up a trade, which would exchange the provisions of Canada and the fish of Acadia for the tropical products of the West India Islands.

About 1683 the difficulty of maintaining a permanent communication between Canada and Acadia was brought to the attention of the authorities. An overland highway had been undertaken by Talon, but was afterwards abandoned. It was now proposed to grant to settlers the lands along the highway, and to give each settler 200 crowns on condition that he should clear the roadway opposite his land. It was estimated that the road would cost the government about 25,000 livres. The project, however, did not commend itself to the home authorities. Under the prevailing conditions the Acadian trade and shipping tended to establish intimate relations with Boston. Incidentally, it may be mentioned that the French population of Acadia in 1683 was only about six hundred.

After the period of Talon and Frontenac, Canada drifted into increasing difficulties. The authorities desired to continue the development of the country, but their leadership was inadequate and the people waited for government initiative. There had been too many unsuccessful experiments, and the outlook was not at all encouraging. Attempts were made to produce lines of goods for which there was no adequate market. Plans were formed to open up communications where there was, as yet, no trade to justify them, while the people were prohibited from trading in the directions where profits were to be made. Officials on inadequate salaries were required to take charge of posts and administer affairs. The temptation to increase their gains by breaking the laws was very strong. Indeed, a moderate breaking of the law seems to have been regarded as a more or less legitimate method of increasing inadequate private incomes.

## III

## ECONOMIC PHASES OF THE GREAT WAR

## A TREATY OF NEUTRALITY

ON November 16, 1686, Louis XIV and James II of England concluded a treaty of neutrality, applicable to their possessions in America. The commercial features of this treaty, though worded in what appeared to be a perfectly impartial manner, operated almost entirely in favour of the French and against the English colonist. It must be remembered that, on the one hand, James II was very completely under the influence of the French court, and, on the other, that he had a good deal of antipathy to the people of the New England colonies, who, on their part, had small veneration for him. It was stipulated in the treaty that the colonists of either power should not fish or trade in the waters or ports of the other. As the fishing territory was chiefly off the Acadian coasts, this told entirely against the English. Further, the French could sell no manufactured goods to advantage in the English ports, while the English were abundantly able to do so in the French ports. The same conditions applied to the fur trade, which was carried on by the English chiefly in territories claimed by the French. Naturally enough, therefore, the treaty caused great indignation among the English colonists and was favourably received by all the French, except those holding trade monopolies. However, before it could be put into practice, James II had been deposed by his subjects, and his successor, William of Orange, was as antagonistic to the French court as he had been favourable.

## EARLIER STAGES OF THE WAR

With the advent of William III to the English throne war with France became inevitable. From that time until the loss of Canada by the French in 1759, the intervals of peace between the French and English colonies were almost entirely utilized in Canada to prepare for succeeding outbreaks of hostilities. This, of course, profoundly affected

the whole future trend of New France. Instead of devoting themselves to the development of the country's natural resources, the people were largely occupied with operations intended to check the expansion of the British power in America. Instead of concentrating their powers within a reasonable area, as had been the plan of Champlain and Talon, they overran vast areas of the interior of the continent, and constructed and maintained a chain of forts from Montreal to the mouth of the Mississippi, and from the St Lawrence to the Saskatchewan.

During the earlier stages of the struggle the Iroquois, supported and encouraged by the English, and favoured by the incompetent management of the French governors, La Barre and Denonville, made savage inroads on the French settlements and for a time almost completely cut off the French from the western fur trade. Beyond Three Rivers the French fields were but irregularly cultivated, and the colony had to depend upon imported supplies. Nevertheless, the *coureurs de bois*, in spite of the drastic laws promulgated against them for deserting the central settlements, maintained the far western posts for the French, and enabled the Indian enemies of the Iroquois to hold their own against these warlike tribes. Consequently, when the French troops had once more driven the Iroquois to their native haunts, after the return of Governor Frontenac, the *coureurs de bois* were rewarded by another amnesty and were employed in maintaining and extending the western posts.

Owing to the attractiveness of the western trade and a dislike for the less exciting work of the farms, the colony experienced a serious scarcity of labour. The natural consequence was high wages—high at least according to the standards of those times. Among the remedies proposed was the introduction of negro slaves from the West Indies. The king expressed his entire approval of this plan, but doubted the ability of the negroes to endure the Canadian climate. This apprehension proved to be correct. To the climate alone was due Canada's freedom from the fate of the southern colonies—that of being overrun with negro slaves, to the displacement of white labour.

With the regular outbreak of war in 1689, when Frontenac returned as governor, trade with the western Indians was confined to those holding government licences. These, however, appear to have been given to the favourites of the governor, for the intendant complains that, if offered at auction, they would have brought in a revenue of 40,000 livres.

About the same time Saint-Vallier, the new bishop of Quebec, made another vigorous effort to suppress the liquor traffic. He was rebuked, however, by the French minister, Pontchartrain, for interfering in matters which, it was alleged, he did not understand, and which did not affect him. It was pointed out that the trade of the country rested almost entirely on brandy, as it was the only article employed in the beaver trade in which the English could not undersell the French.

The colony was now more and more assuming the character of a military, exploring and fur-trading community, and was dependent upon France for its most essential supplies. In 1692 the Quebec authorities, in their report to the home government, represented the population of the colony as two thousand less than before the Indian war, while the people were more intent than ever upon western exploration and trade. Soon it was discovered that this western traffic was being overdone, through the competition of the traders.

The Treaty of Ryswick, in 1697, introduced a temporary lull in the conflict, and made it possible for France to prepare for the next stage in the struggle. In 1699 the French king sent out to Canada a number of carpenters and other workmen to prepare timber for shipment to France. He also inquired as to the cultivation of flax and hemp, and desired the governor to foster the raising of cattle, as he hoped to draw supplies of beef from the colony for his troops in Europe. He was informed, however, that during the late war the clearing of the land had practically ceased, while a number of newer settlements had been abandoned. The fishing industry also, and the trade in hemp, masts, spars, planks, staves, oil, etc., had been reduced within the narrowest limits. In 1702 a new intendant, Beauharnois, arrived. At this time a great deal of merchandise was being sent to

the colony on the king's account, and, from the profits on its sale, a considerable part of the colonial revenue was derived. Already the prevailing corruption in French official circles had extended to the colonial trade. The contractors at La Rochelle and elsewhere frequently sent over to Canada quite inferior goods—some of them entirely worthless—much to the detriment of the king's service, and to the partial ruin of the people. Owing to constant reports of corruption, changes were frequently made in the method of administering the colonial finances, which, it will be remembered, were entirely under the control of the intendant. For some time, as we have seen, the beaver and moose taxes had been farmed out to individuals and corporations. In 1700 this system was abolished, and the people of the colony, that is their leading merchants, agreed to buy the furs on their own account and turn the taxes over to the government. A little later taxes were compounded for, at 70,000 livres per annum. This, in turn, proving unsatisfactory, the farming of the revenue was once more adopted. The successful applicants were a La Rochelle company, the chief partners in which were the Sieurs Aubert, Néret and Gayot. This company retained for twelve years a complete monopoly of the trade in beaver skins from Canada, including Acadia. The monopoly continued till the Treaty of Utrecht, in 1713, when the Hudson Bay and Acadian regions passed to the British. In 1717 the company was merged in a new corporation known as the Company of the West.

An interesting memoir on Canada, in 1703, throws much light on industrial conditions in the colony. This memoir says that there is too little freedom of trade to encourage any considerable industry in the colony. The intendants have so much in their own hands that they virtually control the traffic in such articles as salt, grain, meat and beer. It is held that Canada is so dependent upon the maritime province (Acadia) that it must be retained by France or the larger colony will be lost. Moreover, if the French are to compete successfully with the English colonies, which are making such remarkable progress, they must adopt and apply English methods and enterprise. With reference to the all-

important fur trade, the French dealers are compelled to dispose of their furs in the French markets alone, while the English traders may dispose of theirs in any market whatever.

As a matter of fact, through the Muscovy Company, the English colonists found in Russia the best market for the most expensive furs. They also had the advantage of supplying cheaper goods, because they were not so hampered and regulated in their production and sale. In order that the French traders might have some advantages beyond the single article of brandy, it was suggested by the Quebec authorities that the king should supply the western traders with powder and lead at cost prices from the king's stores. Thus was the direct interference of the government in trade in one direction to be amended or neutralized by its direct interference in others.

So conflicting were the reports on the western posts as furnished by the governor, the intendant, and the persons in charge of those posts, and so freely did they accuse each other of fraud and speculation,<sup>1</sup> that the king found it necessary to send out in 1697 a special agent to report upon the condition of affairs. The agent, Clerambault d'Aigremont, sent his report in the following year, and it proved to be a very comprehensive and valuable document. He found that the agents of the government at the chief western posts were using their official positions for their own gain. He recommended the establishment of vessels on the great lakes, but admitted that, owing to the cheaper goods and better prices for furs offered by the English, it was impossible to prevent the greater part of the Indian trade from eventually

<sup>1</sup> As an instance of this we give the following. The Sieur Joncaire held the difficult diplomatic post of government agent among the Iroquois, and had proved himself resourceful and eminently qualified for the position. It was an important part of his duties to distribute presents to the Iroquois chiefs, through which the French government hoped to placate their enmity, if not gain their friendship. But Joncaire received from the Indians, whose customs compelled them to return the compliment, more furs than the presents were worth on the ordinary basis of exchange. These furs were regarded by Joncaire as a personal compliment to himself, and were retained by him. But when he returned to Montreal he had them brought into the town under cover of darkness in order to avoid even the appearance of evil. It was alleged by many that, as an additional precaution, Joncaire shared his Indian presents with the governor, Vaudreuil.

going to them. He also recommended the re-establishment of the system of issuing licences for the carrying on of the western fur trade. He considered that only in this way could the *coureurs de bois* be kept in check and in dependence upon the colonial government. It was quite useless, he considered, to attempt to induce these people to return to the closely restricted agricultural life of the older parts of the colony. He pointed to the fact that of late years, when the licences were withdrawn and the laws against the *coureurs de bois* enforced, very few canoes came down to Montreal, the Indians having taken their furs to the English at Hudson Bay. As he shrewdly observed, if the goods were taken at the doors of the Indians they were not very particular about the prices, but if they had to seek a market themselves they would undoubtedly go to the best one.

The population in 1705 was about 17,000, and at the Treaty of Utrecht in 1713 it was given as 18,119. The strikingly undeveloped condition of the colony at this time is indicated by the constantly recurring remark, in the memoirs and reports of the period, that the very existence of the colony depended upon the fur trade. This was obviously due to the fact that after the exceptional liberalism of the Colbert, Talon and Frontenac period, the strictest possible application of the mercantile theory then in vogue in Europe was enforced. Its trade, both domestic and foreign, was regulated solely in accordance with the immediate interests of the French tradesmen and merchants. This meant that the colony was not to produce what could be made in France, or to send its furs, and such other natural products as the tradesmen of the home country desired, to any other country than France, while the other products, such as grain and timber, were to be sent only to the French West Indies. The colony was, therefore, wholly dependent upon trade relations between France and itself, and to a lesser degree between itself and the French West Indies.

The natural consequence of this policy was that, during a period of war, the colony was a source of weakness to the mother country, while its inhabitants were in danger of suffering distress and even famine if supplies should fail to

arrive. Thus, in 1705, a French armed cruiser, escorting a fleet of small French vessels bringing to Canada the greater part of the annual supplies, alike of the inhabitants and the fur trades, was taken by the English and all the convoy captured. The result was that the colony was left without even the most elementary supplies for nearly a year. Great loss and suffering ensued. Among the wants most severely felt was that of cloth. This was so extreme, in many cases, that the inhabitants were driven to manufacture rough cloth out of whatever fibres they could obtain. The chief of these was the Canadian nettle and the inner bark of the bass-wood. Naturally this experience had considerable influence in developing domestic industry in several important lines, which remained features of Canadian produce long after the close of French rule.

#### CARD MONEY

The introduction and circulation of card money is an interesting phase of the economic history of the colony. Contrary to the popular idea, this introduction was not due to a lack of circulating medium. It was entirely a financial expedient, like the later introduction of the army bills in 1812. Incidentally, however, it furnished the means for relieving a scarcity of currency.

As we have noted, the chief revenue derived from the colony itself was obtained from the tax of twenty-five per cent on beaver skins, ten per cent on moose skins, and ten per cent import duty on certain goods, chiefly wine and brandy. For some time previous to 1685 the quantity of furs coming to market in Canada had been declining. The beaver supply fell from 95,489 pounds in 1683 to 23,568 pounds in 1685. This falling off in beaver caused a corresponding decline in the goods imported in exchange for it. The chief outlay of the government in Canada consisted in the payment and supply of the troops employed in guarding the colony against the Iroquois and their allies, and in making occasional expeditions to the West. The annual supplies for Canada were furnished from France during the early part of the year, but did not reach Canada till late in the

summer. The intendant was therefore frequently in straits for money during the early part of each succeeding year. Payments to the merchants for advances might be deferred, but not the wages of the soldiers and others in the employ of the government. In 1685 the intendant, de Meulles, found himself in a particularly difficult position. In a letter to the home government in September of that year he pointed out that no provision had been made for the troops in the first part of the year. To meet the most urgent requirements, he had drawn upon his own private means and those of his friends until they were exhausted. It then occurred to him to tide over the remaining period by issuing, instead of money, 'certain notes made of cards cut in four.' He issued three kinds of these : one for four francs, one for forty sols, and a third for fifteen sols. Thus he was enabled to pay the monthly wages of the soldiers. Accompanying these issues, he published an order to the merchants and others to accept these cards in payment for supplies, and pledged himself to redeem them when the funds arrived from France. It appears, however, that he might have had what money he required from the merchants, but on terms which he considered too high, namely, that they should lend to him on the basis of the money of the country, and be repaid on the basis of the money of France. This meant an advance of one-third, but was not considered an exorbitant profit to make out of the government. Moreover, it was the customary basis for the supply of goods to the western fur traders. The obtaining of money from the local merchants was not new and was soon to be greatly extended.

The first issue of card money was duly redeemed when the supplies arrived from France. As the king, during the same year, sent out special supplies for the following year with the new troops, there was no immediate occasion to repeat the experiment. In 1686 Champigny succeeded de Meulles as intendant. In 1687 the new intendant found himself likely to be short of funds for the first half of the following year, but he did not resort to the financial expedient of his predecessor. With the sanction of the governor he borrowed money from the local merchants, to the extent of

105,000 livres, giving in return letters of exchange on the treasurer of the Marine department, payable the following May. With these bills of exchange the merchants were able to purchase their supplies for the following year. Under normal conditions this method of meeting the needs of the government was entirely sound, and might have been continued indefinitely. But in 1690 part of the supplies sent to Canada were lost. To meet this exceptional situation Champigny resorted to the expedient of de Meulles, and issued a new supply of card money. The card money, however, could neither increase the supply of goods nor enable the merchants to purchase further goods from France. The result was that prices rose steadily with the increasing issue of the card money, and ended in special prices where payment was made in this new currency. In the following year the same difficulty occurred, and although the issue of the previous year was largely redeemed, the new issue had the same effect. After this second experience the intendant requested from the minister permission in such cases to draw, just before the departure of the last vessels in the autumn, an extra amount of bills of exchange on the treasurer of the Marine department, payable the following spring.

It is to be observed that the depreciation of the card money, so far as yet issued, was not due to any failure in its redemption, but simply to the fact that it increased the currency of the country without increasing the goods to be purchased. Bills of exchange on France, however, increased neither the currency nor the goods, but provided at least for a supply of further goods in the spring. Though the minister was slow to accept the very sound reasons furnished by the intendant, and feared, no doubt, to permit increased expenditure on the part of the colony, yet in the end he accepted the proposal, and the financial difficulties of the colony were disposed of for the time being.

In 1689 a change took place in France in the value of the gold and silver coins. At the same time the old coinage, then in circulation, was recalled and a recoinage of the currency was made. This change was only partially effected in Canada, on account of the difficulty of calling in the old

coinage. This situation added to the currency difficulties of the colony. In 1697, owing to special financial straits, the intendant was once more forced to issue a certain amount of card money. Some of the previous issues, though open for redemption, still remained in circulation, resulting in a considerable amount of floating debt. After several representations as to the necessity for clearing off the outstanding obligations, an appropriation for this purpose was made in 1700. However, when Champigny was succeeded by Beauharnois as intendant, in 1702, it was found that much unredeemed card money was still in circulation.

Meanwhile, the financial condition of France itself was becoming very precarious, and the colonial authorities were warned that they could not expect much assistance from the court. Various expedients were suggested for meeting the situation in Canada. Increased taxes were tried, and the import duties on wines and brandy were fixed on the basis of the money of France. From this time on, however, the issue of card money became the regular method of meeting deficits. Finally, appropriations for the Canadian expenses were completely suspended from 1708 until the conclusion of the Treaty of Utrecht in 1713. During this period the intendant had little or no resource except the issue of fresh supplies of card money. The amount of this currency outstanding at the close of the war in 1713 was 1,600,000 livres. The trade of the colony was in a state of chaos and many of the merchants declared themselves ruined. As it was impossible to secure the redemption of the full amount of the card money, it was finally agreed by the French court to redeem it at a discount of fifty per cent. The 800,000 livres were to be paid in five annual instalments of 160,000 livres each, beginning in March 1715. But so completely demoralized was the French treasury that only 33,000 livres of the first instalment were actually received. Because of the fate of the first instalment the second was not sent over for redemption. As the letters of exchange, drawn on the country for the beaver exported from Canada, were promptly paid, the colony was not quite so badly off as it might have been. The matter of the card money was

referred to the Council of Marine, and it reported in 1715 in favour of calling in and abolishing the amount outstanding. Finally, after much difficulty, a plan for the redemption of the card money was prepared, and it was arranged that the last issue should take place during the first six months of 1717.

The redemption of the card money at fifty per cent discount, while it was still legally payable at its face value, resulted in great injustice to many creditors. Ordinary market prices were very soon doubled, but salaries and fixed charges on past debts, not being capable of readjustment, were paid in depreciated currency at its face value. The Council of Marine ultimately recommended that the cards be reduced by law to one-quarter their face value. It also urged the abolition of the distinction between 'money of France' and 'money of the country.' All money in future should have the same value in Canada as in France. The king accepted the advice of the council, and a scheme for the redemption of the cards, at their reduced value, was again devised. By this plan all the card money was to be presented for redemption in the autumn of 1718, and all not then presented should have no further value. The redemption payments were to extend over that and the two following years. Cards to the extent of 959,189 livres were presented for redemption, and paid for in letters of exchange amounting to 359,696 livres, 'money of France.' Payment, however, was again postponed for a year, but ultimately all the cards were redeemed before the end of the year 1721. Thus ended the first period of card money.

If the card money had been convertible on demand into bills of exchange on France, it would never have passed at a discount or become a source of confusion and disparagement to trade, since no more would have remained in circulation than the currency needs of the country required. It was the irredeemable character of the card money which rendered it destructive of sound values, and therefore demoralizing to trade.

## A PAWN IN THE EUROPEAN STRUGGLE

After the signing of the Treaty of Utrecht, which confirmed the English possession of Hudson Bay and deprived France of Labrador and Acadia, French policy in America settled down more completely than ever to a steady resistance against the expansion of British power on the continent. This was regarded also as the best means for holding Britain in check in Europe. Canada thus ceased in a measure to have a future of its own, being used quite frankly as a pawn in the European struggle for supremacy between France and Britain.

The British would doubtless have used their American colonies more directly in that struggle, if those colonies had not already passed beyond their control. The British colonists had established and maintained certain lines of policy of their own, partly in accordance with the principles of the mother country, partly in opposition to them, but always with much profit to themselves, and in the end with enormous, though often unexpected, gain to the mother country. When it was too late, the French authorities discovered that it was in her colonial empire that Britain's chief strength lay, and that Canada might have been of equal value to France, if it had been allowed to develop along lines similar to those followed by the British colonies. As it was, the French colonies remained a constant drain upon the resources of the mother country. Under the circumstances, however, France was obliged to support Canada as the most effective base from which to attack British power. The cost of this was heavy, and the drain upon France sensibly affected her finances.

The special trend of French policy in America affected very materially the affairs of Canada during the period between the Treaty of Utrecht and the loss of the colony. The Indian trade was no longer regarded mainly as a source of profit, but as a means of detaching the Indians at any price from the British, and uniting them in a military alliance with the French in preparation for the next war. Enormous sums were spent, not in genuine trade with the Indians,

but in subsidizing them by means of presents. The former trading-posts were converted into military posts in charge of special officers. These men continued to utilize their official positions and the government presents to enrich themselves and their associates, and thus prepared the way for the final orgy of corruption which culminated in the operations of the intendant Bigot.

From the time of the Treaty of Utrecht to the close of the struggle in America, the trade policy of the French, in their relations with the British colonies, was one of the strictest non-intercourse. Vaudreuil received stringent orders to that effect, and ordinances were issued from time to time renewing the prohibitions and increasing the penalties for their infraction.

#### SUPPRESSION OF BRITISH TRADE

During the year 1717<sup>1</sup> the monopoly of the Canadian export trade, especially in furs, passed into the hands of the Company of the West, also called the Company of Louisiana, but chiefly known to fame as the Mississippi Bubble. In the charter of the company the prohibition of trade or other intercourse with the English was strongly insisted upon. Special officers were given extravagant powers of search, in public places and in private houses, to ferret out any articles of British manufacture. To prevent furs from passing to the English, the people of Montreal and Three Rivers were forbidden to keep commercial furs in their houses longer than forty-eight hours before delivering them to the officers of the company.

From the French point of view, one of the most unfortunate clauses in the Treaty of Utrecht proved to be the right of free trade between the English and French and the Indian tribes. Consequently, the French authorities did their best to minimize its evil results, in order not to lose entirely their control of the Indians, which was a matter

<sup>1</sup> Freedom of assembly for public discussion was strictly forbidden in Canada, but in this year the merchants of Quebec and Montreal were specially permitted to establish a bourse, or commercial exchange, such as existed in several cities of France.

of life and death to them. Perceiving that the resumption of hostilities was only a matter of time, it was felt that the Indians must be retained on the side of the French at all costs—even at the cost of breaking the treaty and provoking war. Much ingenuity was displayed on the part of the French to attain that aim, and at the same time to postpone as long as possible the outbreak of war. To prevent the Indians from going to the British to trade it was necessary, not only to subsidize them at home, but also to construct a chain of forts from Montreal to the mouth of the Mississippi by way of the great lakes and the Ohio and Mississippi rivers. In the direction of Acadia the same policy was pursued.

Under the Marquis de Beauharnois as governor, in 1726, the licence system of fur trading was once more established, twenty-five licences being granted at 250 livres each. Those trading under these licences were permitted to take brandy with them to the Indian villages. Brandy might even be given to the Indians who came down to the settlements, provided they did not consume any of it until they were well on their return journey. The Indians were encouraged to pillage the English traders wherever found, but, on discovering that the Indians professed much difficulty in distinguishing between English and French traders, this proclamation was recalled.

There had been considerable intercourse between Montreal and Albany by way of Lake Champlain. In one of his early letters Beauharnois declared that there was a considerable number of English artisans, merchants and others settled at Montreal; indeed, so numerous were they, that he feared they might have some design on the town, and urged that they should be transferred to Quebec. But, under the stringent regulations afterwards introduced, he was able to report in 1734 that the traffic between New York and Montreal was practically suppressed. The establishment of the fort at Crown Point appears to have materially contributed to this result. When the traffic was at its height as many as nine hundred pieces of English scarlet cloth were sold in Montreal in one year. The price of these was £10 each at Albany and £25 at Montreal, amounting to £22,500 for this

one article. When the English traders learned that this cloth was being used, partly in trade and partly in presents to prevent the Indians from coming to their posts to sell their furs, they adopted a resolution prohibiting the sale of such goods to the French. It was thus made easy for the French governor to gain the credit for the suppression of trade, in this line at least.

During these years efforts were made to plant permanent settlements around some of the western posts, especially Detroit, on account of its central location and the facilities for cultivating grain and supplying the northern regions with food. From 1736 the English had decidedly the best of the western trade. When war broke out in 1744 the French traders considered the western traffic so precarious that the licences for the year 1747 could not be disposed of. The following year, 1748, no trading expedition set out from Montreal, and the trade between the Canadian lakes and Louisiana was carried on by *coureurs de bois*, deserters from both colonies. When the peace of Aix-la-Chapelle put a temporary stop to the war, the English were very strong in the Indian country, and, with the aid of Colonel William Johnson, had secured a firm alliance with the Iroquois.

#### GALISSONIÈRE'S REPORTS

After the peace of Aix-la-Chapelle in 1748 La Galissonière, the French administrator, gave some interesting facts about the trade of the country and its prospects. He said that the value of the western Indian trade was steadily declining, but that it was necessary to hold the western posts as the best means of checking the expansion of the English colonies. He was quite sure that the French colonies could not become as wealthy as the British colonies, or carry on as great a trade. Still, the western country should be developed, especially around Detroit, in order to supply the needs of the western posts, even as far as Louisiana.

Two years later, in 1750, the governor gave a still fuller account of the colony and its various relations. He pointed out the favourable attitude of the public towards colonies like those of the West Indies, whose trade returned a balance

in favour of France, and the growing impatience with colonies like Louisiana and Canada, which were a constant bill of expense. The public, he said, would give up Canada altogether. He admitted that at present there was much justification for this critical view. Canada, on account of its great extent, was both expensive and difficult to manage. It was not well situated for foreign trade, most of it being far inland. Many Canadian products were suited to the markets of the West Indies, but they could not be exchanged as cheaply as those from the British colonies, on account of the long voyages, difficult navigation, and protracted winters. There was not much chance of Canada becoming self-supporting even in times of peace ; consequently, in time of war it would necessarily involve enormous expense. Only on the grounds of national honour, glory, religion, and its usefulness as a barrier to the ambition and growing power of Britain in America, could the maintenance of the colony be justified.

Referring to the potential resources of different parts of Canada, the governor dwelt at some length on the resources of the region in the neighbourhood of Detroit. He referred in particular to the large herds of buffalo which frequented the prairies in that neighbourhood. They were covered, he said, with a kind of wool, which could be utilized in various ways. Their beef might be salted and exported to supply the other colonies or feed the king's armies.<sup>1</sup> Everything possible ought to be done to attract settlers to that region in order that they might be utilized for its defence. La Galissonnière, therefore, advocated sending former soldiers, salt smugglers from the galleys, sturdy beggars, and even women of light character—in fact, any one who might serve as a barrier against the English. The idea of developing the colony for its own sake is not found in his reports.

#### BACKWARDNESS OF CANADA

The authorities in France frequently expressed surprise that Canada should be so backward in dealing with its natural resources, when such remarkable progress was being made in the adjoining British colonies. There was no ground for

<sup>1</sup> This was a forecast of the meat-packing industry of the present time.

LA GALISSONIÈRE  
*From an engraving in the Château de Rambouillet*







supposing that the French colonists were inferior to the British colonists, or that the resources of the St Lawrence were less than those of the somewhat barren New England coasts. The real difference lay not in the peoples or the countries, but in the economic, political and general colonial policies. Commerce alone may maintain a spasmodic activity under unsuitable conditions. The very needs of government itself, and even its extravagant and wasteful expenditure, may stimulate trade. But where productive industry is in an uncertain and backward condition, commerce itself is inevitably kept within narrow limits.

It is also to be noted that when a colony is completely dependent on the mother country for many of its essential supplies, as Canada was, it is at the mercy of extortioners within and enemies without whenever intercourse between it and the mother country is interrupted, as was often the case in Canada during the endless conflicts with England. For these reasons a very primitive system of domestic industry prevailed among the general body of the Canadian people, while the greater part of the trade was supported by the Indians and *coureurs de bois*, the officers and dependants of the government and the merchants of Quebec and Montreal. The Indian trade itself and the selfish and fraudulent conduct of the government officials, both at the centre of the colony and at the distant western posts, constituted serious impediments to the development of the country, and no real attempt was made to overcome them. The Indian trade furnished so many attractions for the more adventurous and enterprising youth of the country, and there were so few legitimate openings for them in the settled parts of the colony, that they were strongly and continuously tempted to become *coureurs de bois*, for a number of years at least. But such a career, during the prime of life, quite unfitted them for becoming good farmers, and consequently French colonial agriculture was, as a rule, of a very primitive and laborious character and afforded but meagre returns. Since, in addition to this, the colonial system permitted the officials to extract wealth from the needs both of the government and of the colonists, it was inevitable that legitimate enterprise should be seriously

discouraged. A few wealthy and influential merchants in Canada controlled everything of value, and they were in close alliance with the colonial authorities.

If the government purchased its Canadian supplies and Indian presents from the merchants in France, it was charged two or three times their value. If it purchased them in Canada, the charges were still the same, or even worse. As we have seen, those entrusted with the Indian presents utilized them to obtain valuable gifts of furs in return. The commandants at the western posts traded on their own account, with all the special advantages due to their official position, such, for example, as their command of the king's stores. Even the governors and intendants freely accused each other, especially during the later half-century of French rule, of joining in corrupt or illegitimate dealings for their own personal benefit. One of the greatest of the western commanders, Cadillac, in speaking of the accusations against the colonial officials, particularly the officials in the West, frankly acknowledged the truth of the accusations. He defended these practices, however, on the ground that the salaries of the officials were quite insufficient to maintain them where the cost of living was so high. Food had to be carried from the East far inland, and was always sold at exceptionally high rates. A good deal of the later colonial corruption was but the reflection of the practices of the French court during the reign of Louis xv. The system which had been prevalent in the colony for years found its natural culmination under the last of the intendants, Bigot. He had at once greater opportunities, more numerous allies and a more perfect system than any of his predecessors. In such an atmosphere legitimate industrial enterprise found but little encouragement to expand beyond the immediate needs of family and parish life.

Turning to other economic features of the last half-century of French rule, we find that shortly after the Treaty of Utrecht the French king renewed the search for copper and silver mines, and discussed the best means for working them and transporting the produce to the head of ocean navigation at Montreal. In 1716 the governor and intendant were inclined

to attribute the backwardness of colonial industry to the dearth of skilled workmen and the high cost of labour. This led to a renewal of the proposal that the colony should be provided with negro slaves to work the mines, cultivate the fields, and do such other work as would enable the colony to supply the West Indies with grain and other provisions. Again the court expressed a doubt as to the practicability of the scheme, on account of the severity of the climate. In lieu of this solution, however, the home authorities made a characteristic movement towards meeting the labour needs of the country. A decree was issued in 1716 requiring that every vessel sailing to Canada should carry out a certain number of labourers in proportion to its size. Such labourers were to be of the following classes : masons, stonecutters, blacksmiths, locksmiths, joiners, coopers, carpenters, caulkers and similar workmen. Those who were thus taken were required to remain for two terms of service. The scheme, of course, imposed impossible conditions upon the shipowners, with the result that dummy emigrants were presented to the authorities and allowed to desert just before the sailing of the vessels. The crews of the vessels also were regularly represented as emigrants, and various other devices were employed to evade the law. In 1721 it was found necessary to substitute a money payment of sixty livres in lieu of each emigrant not taken. This introduced what would have constituted a heavy tax upon colonial shipping, had it not been, for the most part, systematically evaded. Down to the end of the French régime there are constantly recurring complaints of high wages and scarcity of labour, while on the other hand there are numerous references to idle men and sturdy beggars.

#### THE MISSISSIPPI BUBBLE

The celebrated Company of the West, known to fame as the Mississippi Company or Mississippi Bubble, was chartered in 1717, under the influence of John Law, a Scottish financier. The king recognized that many abuses had crept into the finances of France during the long war which ended in 1713. These he undertook to reform, and to re-establish

the commerce of the country and the protection of the colonies in America. To this end he established one company for the American colonies, to be known as the Company of the West (d'Occident), with a view to the encouragement of commerce and agriculture. This company was to have, for twenty-five years, the exclusive right of colonial trade in Louisiana, and of receiving and exporting the beaver skins of Canada, as well as the management of the colonial revenue. The charter which the king gave the company in 1717 fixed its capital at 100,000,000 livres and granted it all manner of rights, privileges and exemptions in the newer territory. The floating of the company was very successfully carried out. Before the middle of 1718 all the stock was taken up, and interest was paid for the first six months. In 1719 all the French colonial companies in Africa, India and China were merged in the Company of the West, whose name was then changed to the Company of the Indies. Law's Bank also found a place in this all-inclusive organization. By 1720 it had absorbed everything beyond France and a good deal within it. After a year of the wildest speculation that the world had known up to that time the inflated organization went to pieces in a terrible reaction, the details of which are not essential to our history. The colonial section of the company, however, managed to survive, and the following year, 1722, its rights were restored. It carried on the beaver monopoly of Canada until after the time of the conquest.

#### SHIPPING AND AGRICULTURE

At intervals, after Talon's time, the colonial government attempted to revive the shipbuilding industry. Thus, in 1731, the intendant Hocquart proposed the building of a vessel of five hundred tons on the king's account. The minister's answer was favourable. At the same time the king granted a bounty of 500 livres for each vessel of two hundred tons and upwards built in the colony, with bounties in proportion for smaller vessels and boats. He also suggested that if this encouragement should lead to the successful building of ships in Canada, the importing of skilled work-

men and the lowering of their wages, he might go on with the building of vessels at his own expense. As a matter of fact many warships were built at Quebec during Hocquart's administration. In 1742 the *Canada*, in 1744 the *Caribou*, constructed to carry twenty guns, in 1745 the *Castor* of twenty-six guns, in the following years the *Saint-Laurent*, the *Québec* and other men-of-war were launched successfully from the Palace dockyards. At the same time a good number of smaller vessels were built at Quebec.

We find also that some considerable trade was developing between Quebec and Louisbourg, which was becoming an important centre of French trade. Indeed, this town was destined, before long, to be the chief shipping and trading centre for the French in America. Louisbourg was a convenient meeting-point for the trade between France and the West Indies, France and Canada, and the West Indies and Canada. It was also the most strategic post for the command of the fisheries and for the shelter of French ships, including both merchant and war vessels. From the safe retreat of Louisbourg harbour the French men-of-war and privateers could sail forth for the capture of New England fishing and trading craft. This accounts for the anxiety of the Boston and other English fishing and trading centres for the capture and destruction of this stronghold. While it existed as an important centre for French shipping and trade, it naturally furnished an excellent market for every form of produce which the colony could grow, and a corresponding advantageous centre in which to purchase French and West Indian goods, as well as those taken from captured English vessels. In 1731 the colonists employed two vessels of their own construction in the trade between Quebec and Louisbourg. Four years later the intendant reported that thirteen vessels were engaged in the fisheries of the lower St Lawrence, and twelve had gone to Louisbourg with flour, biscuit, lumber and beef, while six went as far as the West Indies with lumber, dry cod and peas. Some ten small vessels, the largest of ninety tons, were built at Quebec in 1735, the industry having been stimulated by a good harvest and brisk demand for agricultural produce. The irregularity of the harvests,

however, seems to have prevented a more permanent development of the export trade.

The wheat raised in Canada was all spring sown, and average crops ran from eight to twelve minots per arpent, or nine-and-a-half to fourteen bushels per acre. About 1734 some of the better farmers were experimenting with fall wheat, though the results with most of them were not very encouraging. At this time, also, a few orchards were being planted. Tobacco was already a considerable factor in Canadian agriculture, and samples sent to France were considered very fair, though they might have been better with improved methods of cultivation.

One of the chief drawbacks to agriculture in Canada was the uncertainty of labour. The farmers were liable to be called away at any time to serve on protracted expeditions to the West, or to make up harrying and scalping parties directed against the English to the south. This, of course, was due to the government's policy of trying to hold and fortify the whole range of territory from the Gulf of St Lawrence to the Mississippi. The general effect on agriculture was to perpetuate a very primitive and unproductive system of farming. Of necessity, the care of the farms was frequently left to the women and children.

During the last decade of French rule the work of transport alone, occasioned by the western posts, occupied about four thousand men annually. During the same time a large proportion of the youth of the country were employed in long and fatiguing military expeditions which, while not very destructive of life, were nevertheless fatal to a spirit of stability and progress. A writer of the period, speaking of the management of farms in Canada, points out that very little care was taken to improve the quality of the live-stock or to bring any intelligence to bear upon the work of farming, with the result that there was much waste of material and energy. Poor farming added to the bad effects of unfavourable seasons. Consequently, in the years of poor crops Canada was frequently in great straits for provisions. This was particularly the case when the troops from France had also to be provided for. The very products, such as flour and

bacon, which Canada should have regularly exported, were not infrequently imported for the supply of the towns and the troops.

In 1736 a special effort was made to develop the iron mines of St Maurice. Smelting was begun and a foundry had just been completed at Three Rivers, but the results did not fulfil expectations. At a later time the quality of the output was improved, and the St Maurice forges constituted a most valuable industry.

In 1744 an important change, which greatly affected commerce, took place in the law of the colony. It was decreed that only such laws of France as were registered by the Superior Council, in accordance with the special direction of the king, should have force in Canada. As a result of this decision, most of the improvements which were afterwards introduced into the mercantile law of France, such as the very important *Code Marchand*, were never extended to Canada. This was a misfortune for Canada at the time, but its worst consequences were not realized until the colony passed into the possession of the English and new opportunities for developing trade arose.

The decade between 1732 and 1742 was by far the most prosperous period for Canada in the eighteenth century. In 1741, owing to a good harvest, exports exceeded imports for the first and only time during the French régime. A large portion of these exports was absorbed by Louisbourg. Prosperity, however, was of very short duration. After 1745, when Louisbourg was first captured, the loss of this important market told heavily on the trade of Canada, while the subsequent wars disorganized the productive forces of the country.

The high prices for grain encouraged the clearing of new lands, but this encouragement died out when the chief market was lost. Though new land was to be had on easy terms, the influence of the law of inheritance was so strong that the original farms were divided and redivided, much to the detriment of the colony in every respect. In the earlier and more enterprising days of the colony the government had considerable difficulty in preventing the settlers from taking up

too much land and spreading themselves over too large an area. But a different situation faced the authorities after the more active and adventurous members of the community had been attracted to the western posts and the Indian country. The farming peasantry became increasingly unwilling to leave the old homesteads and take up new lands. In 1745 the government undertook to deal with this matter by passing an ordinance. In the introduction to this the king lamented the falling off in colonial enterprise, which had seemed so promising in earlier years. There had been a great decline in agricultural development, and Canada was then scarcely growing enough food for its own needs. This decline was declared to be due in large measure to the constant subdividing of the old homesteads. To meet this situation it was decreed that no one should build a house on a plot of land with less than one-and-a-half lineal arpents of frontage and less than thirty to forty in depth. The penalty for breaking this law was a fine of 100 livres and the pulling down of the house. To encourage agricultural expansion, the parishes were enlarged where necessary, so that a new settler might live within the parish limits. In a large number of cases, however, the only result of the law was the crowding of several families into the old homestead, with very undesirable consequences.

#### NEW TARIFF—HIGH PRICES

In 1748 a considerable increase was made in the import duties on wines and liquors. For the first time, also, a regular tariff of excise and import duties was drawn up. In the introduction to this tariff the king reminded the colonists of the great things he had done for them, but also declared that as these achievements had been very costly, a part of the expense ought to be borne by the colonists themselves. The tariff, however, was a very light one, consisting chiefly of a three per cent duty on all imported merchandise and a similar duty on all exports save grain, meat, butter and such provisions. From 1748, when the new tariff went into force, until 1753, one year was allowed in which to pay the duties, on the ground that many of the goods would not

be sold within that time. This corresponded to the modern privileges of a bonded warehouse. In 1754, however, the duties were collected at the time of entry, and the government thus obtained two years' revenue in one. In the later years of the colony the total revenue from customs and excise amounted to about 300,000 livres annually. Another of the numerous financial expedients to balance revenue and expenditure, during Bigot's time, was the deferring of government payment on exchanges from August until December, when these exchanges could not be sent to France to be cashed until the following summer.

Prices in Canada were naturally much higher than they were in France, but towards the close of the French period the difference became enormous. To take a concrete instance : we find that a cask of wine from France was worth 50 livres before shipment ; it cost another 50 livres to insure it, with 2 livres for commission ; freight to Canada amounted to 150 livres ; for leakage 10 livres was allowed ; expenses of entry, 3 livres ; giving the total cost of the cask on landing at Quebec at 265 livres, to which the wholesale and retail profits had to be added. Even the most characteristic natural products of the country were very dear. Thus, in a country covered with forests, firewood was found to be dearer in Quebec than in Paris. The necessity for keeping a considerable stock of goods on hand to meet emergencies, such as the loss of vessels bringing colonial supplies, lent a very speculative element to trade during the many years of conflict with the English.

#### THE GINSENG TRADE

A unique and interesting episode was the ginseng trade. The ginseng plant, known botanically as the *aralia quinquefolia*, was highly valued by the Chinese on account of the supposed remedial qualities of its roots. The usual supply was obtained from Tartary, but it was discovered that the plant grew wild in the forests of Canada. Trade with the East was included in the monopoly of the Company of the Indies. Some of the officers of the company's ships first tried the experiment of carrying a quantity of the drug with them

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to China. Finding it an exceptionally profitable venture, they developed the trade in a quiet way. In Canada it was purchased for thirty or forty sols per pound. For a time the company did not take any special interest in the traffic, but in 1750, having discovered that the trade had become very considerable and that the price in Canada had risen to twelve francs per pound, it asserted its monopoly and took the trade into its own hands. Before long the price rose to thirty-three francs. Then the merchants of La Rochelle who traded with Canada became interested, and instructed their agents to collect the root on their account. Under the stimulating competition which resulted, the people of the colony were soon scouring the woods everywhere for ginseng root. Town people and country people, young and old, Indian and *courleur de bois*, all searched for the precious root. Agriculture was neglected and trade and industry demoralized.

The proper season for gathering the root was in September, when the season's growth was over and the medicinal essences were stored up for winter use. The root required to be slowly and carefully dried in order to be valuable for medicinal purposes. But as soon as the more active search for it began, it was collected at all seasons of the year, particularly in May, when it could be detected by its white flower. It was also rapidly dried in ovens, and thus lost what little virtue remained in it. This almost worthless form of ginseng was purchased for a time to send on to the merchants at La Rochelle. About 50,000 francs' worth of the plant was exported from Quebec in 1752. Though the direct trade to China was carefully guarded by the company, yet the inferior grades were freely exported there by independent traders. In this way the Canada product came to be entirely discredited in the Chinese markets, and the trade fell away even more rapidly than it had grown up. From this time on the search for ginseng in Canada ceased to be a profitable occupation.

### FINAL STAGE OF PAPER MONEY

Before briefly summing up the economic phases of the last years of French rule in Canada we may glance at the later experiences of the colony with its paper currency.

It was rather unfortunate that, while Canada was bringing its first experience with the card money to a close, the mother country should have been deluged with paper currency through the operations of Law's Bank. The ambitious and daring financier had also a lease of the royal mint at La Rochelle. A change in the coinage took place at the same time, with bewildering alterations in the ratings of the various coins. With the bursting of the Mississippi Bubble in 1721 Law's lease of the mint was cancelled, and in 1726 the coinage of France was placed on a fairly permanent foundation by a recoinage on the basis of twenty livres for the louis d'or and five livres for the écu or crown.

Meanwhile trade with Canada proceeded mainly on the basis of an exchange of goods, supplemented by the king's expenditure in the colony, the most of which was negotiated through letters of exchange. As this trade was conducted on a liberal margin of profit, losses here and there, due to minor currency changes, did not materially affect it. But it was very different with the financial preparations made for the colony on the king's account. Here the rapid changes in the valuation of the French coins resulted in much confusion in the departmental book-keeping. Specie being scarce, and the exchange being, as a rule, against Canada, it was difficult to retain the regular French coins in circulation in the colony. These experiences naturally led to a revival of the plan for a special colonial currency, which could not be employed for equalizing the balance of trade between the colony and the mother country, as was the case where a common currency was used for both France and Canada. This project, to a limited extent, took practical shape in 1721. The Company of the Indies obtained authority for the issue, by the mint at La Rochelle, of a special copper coinage for the colonies. In 1722, 20,000 livres' worth of denier pieces was sent to Canada to be put in circulation by the agent of the company, but the merchants in the colony objected to this copper currency as of too small a denomination, since they wanted nothing below the sol piece, commonly known as the *sol marqué*. The company was forced in the end to give up the attempt to circulate such coinage. Mean-

while the scarcity of the higher denominations of coins continued to call for remedies. The two most commonly suggested were the issue of a special coinage and the overrating in Canada of the ordinary coinage—a return to the system which had been prevalent prior to 1719.

To meet the growing need for a local medium of exchange, private individuals doing business in the colony began to issue notes or *bons* on their own account, and the needs of trade soon caused their circulation. By the end of 1728 these private notes were extensively circulated and began to show their evil effects through occasional failures to redeem them. This condition of affairs led to the presentation of a petition to the government for the revival of the card money, on the ground that it was safer than the issues of private individuals, especially if it were redeemed each year after the arrival of the vessels from France. In the end the king yielded to the request, as the system of card money, in its initial stages at least, was a profitable one for the national treasury. A new issue of card money was authorized in March 1729, to the extent of 400,000 livres. The denominations were to be 24 livres, 12 livres, 6 livres, 3 livres, 1 livre, 15 sols, 10 sols, 9 sols and 6 deniers. All the cards were to be stamped with the arms of the king and signed by the comptroller of the Marine at Quebec: those from three livres upwards were to be signed by the governor and the intendant, while the smaller denominations were simply to be initialed by these officers. The cards were to circulate in the colony at their face value and were to be legal tender for all payments. They were redeemable by letters of exchange drawn on the treasurer of the Marine in France.

Two thousand packs of white cards were ordered from France for the purpose of this currency, but part of these being lost by shipwreck, ordinary playing cards, such as were found in the colony, were used. Three special dies, or stamps, were provided—one with the arms of the king, the second with the arms of the governor, and the third with the arms of the intendant. With these the cards were to be stamped as issued, and they were chiefly relied upon as the best safeguard against counterfeiting.

It is necessary to observe that a further financial expedient, having a direct and important influence upon the future currency system of the colony, had been employed from 1725 until the new issue of the card money. When the needs of the colonial treasury surpassed the resources on hand, the colonial treasurer, on the authority of the intendant, issued notes for the necessary amount, payable when the treasury was replenished. These notes were styled *ordonnances*,<sup>1</sup> as they took the form of orders on the treasurer of the Marine. They thus resembled exchequer bills. The people who received these passed them on to their creditors and, though drawn for unstandardized amounts, they thus obtained a limited circulation, and to that extent fulfilled the ordinary functions of a currency. Afterwards, on the request of the parties to whom they were issued, they were divided up into more convenient sums. This greatly facilitated their circulation as currency. It was this kind of financial expedient, employed as currency, that enabled Bigot and his associates to carry on their system of wholesale embezzlement of public funds.

As the king expected the new issue of 400,000 livres in card money to relieve him of any expenses for the colony in 1729-30, no bills of exchange were issued that year. But the card money would buy no goods in France, while the bills of exchange, into which they ought to have been freely convertible, would have purchased French goods. The dislocation of trade which resulted from this may be imagined. At the very outset the new issue of card money tended to destroy confidence, while it led to a considerable increase in prices. Confidence was somewhat restored by the exchanges drawn the following year, though they were not sufficient to provide for all the cards presented for redemption. When the card money, presented for conversion into exchange, was freely converted, it circulated with greater freedom throughout the colony. Specie ceased to leave the country, because the exchanges served the people equally well, and with less risk in transmission. Moreover, the specie was favoured by those

<sup>1</sup> In 1729 the intendant Hocquart called in the *ordonnances* already issued, and replaced them with card money.

endeavouring to accumulate savings, while the card money answered for circulation.

As the exchanges drawn in return for the card money were somewhat limited, and as the amount of provision made by the home government for the needs of the colony was very inadequate, the colonial government was more frequently than ever in need of a currency of some sort. It therefore reverted to the issue of *ordonnances*, which came in for redemption when the funds arrived from Europe. In 1731 Hocquart, the intendant, finding himself in straits for ready money, issued an additional amount of 60,000 livres in card money, which was readily absorbed. An increasing quantity of the money passed permanently into circulation in the country districts and evidenced the need for a larger amount of domestic currency. When the time for drawing bills arrived, only 136,489 livres of currency was presented for conversion into exchange, and about 95,000 livres in *ordonnances*. The 60,000 livres temporary issue being withdrawn, the intendant had only 75,000 livres in card money with which to meet the expenses of the following year. This meant that he had to resort more completely than ever to *ordonnances*.

Continual appeals from the colony at length convinced the home government that a definite addition to the card money should be made. Hence, an ordinance of the king was passed on May 12, 1733, providing for an increase of 200,000 livres in card money, thus increasing the total authorized issue to 600,000 livres.

About this time Hocquart drew attention to the increasing difficulty in the management of the colonial finances. He complained that he was losing control of them on account of the authority given to various officers to incur expenditure. Over this he had no control, but he was required to provide the funds to meet those orders. This new feature was due mainly to the western expeditions and the supply of the posts in distant parts of the colony. The commanders at these posts were authorized to draw for their requirements upon the treasury in Quebec.

Meanwhile the trade of France was steadily recovering from the consequences of war and affliction, and the prosperity

of the mother country was directly reflected in Canada. Owing to the continued prompt redemption of all the card money brought in, the credit of this issue continued to rise. The card money was even regarded as a safe form in which to hoard savings, and consequently a decreasing amount of it came in for redemption. The result of this was that the *ordonnances* increased in quantity, but as they came from various sources they did not command the same confidence as the card money. They were commonly referred to as notes (*billets*). The card money being limited in quantity and the notes unlimited, the expanding needs of the treasury caused the notes to become the dominant factor in the currency. In 1740 the governor (Beauharnois) drew the attention of the minister to the very large quantity of notes in circulation, issued partly at Montreal and partly at Quebec, but without any proper check on the amount put in circulation.

About 1740 the restriction on the amount of exchange to be drawn was removed, and the amount furnished rapidly increased under the influence of a new conflict in America between France and England. At the same time the total amount of card money to be issued remained fixed. In 1741 there were returned to the treasury for redemption 176,000 livres in card money and 464,000 livres in treasury receipts and notes.

Meanwhile, the demand both east and west for the produce of the farms led to a considerable increase in agricultural products and the development of a brisk export trade in provisions. In 1741, as we have seen, the exports of Canada exceeded the imports and led to the unique experience of exchanges on France being at a discount, as compared with the card money of the colony. Much of the farm produce was now paid for in card money, which disappeared into the interior of the country and did not reappear for conversion into exchange. In the face of this situation the governor and the intendant again recommended the issue of an extra 200,000 livres of card money. The merchants of Quebec, finding that the people much preferred the cards to the treasury notes, strongly urged on the home government the

issue of more card money in place of the treasury notes. At the close of 1741 there were only 15,000 livres in card money in the treasury, which meant that the expenses for the following year, amounting to over a million livres, had to be paid in treasury paper.

In response to the representations from Canada, the Treasury Board, in 1742, conceded the issue of another 120,000 livres in card money. It is difficult to understand the attitude of the home government in being so fearful of a possible over-issue of the card money, while remaining so careless regarding the increasing and far more dangerous issue of treasury notes. This paper was made up of notes (*billets*), *ordonnances* and receipts (*acquits*) for these, preparatory to drawing exchange. Such gold and silver coins as came to the colony rapidly disappeared into the private hoards of the peasantry, and did not reappear again until after the colony had passed into the hands of the English. When the peasants and small traders could not obtain specie to hoard, they took the next best substitute, namely, the card money. The extra issue of card money was, therefore, no sooner put in circulation than it disappeared, and the treasury was left as lean as ever.

In 1744 it became necessary to regulate the value of the copper sols circulated in Canada. There were two kinds of *sols marqués* in circulation—the old ones, now recalled in France and rated at eighteen deniers, and the new ones rated at twenty-four deniers. In Canada, however, they all passed for the same value, twenty-four deniers. It was profitable, therefore, to collect in France the old sols of eighteen deniers, ship them to Canada and circulate them at twenty-four deniers. The ordinance of 1744 reduced the old sols to eighteen deniers in Canada.

After the fall of Louisbourg, in 1745, the expenses of the colony rapidly increased, and as a result the treasury paper was put in circulation. In 1746 the amount of treasury paper returned for conversion into exchange was 1,776,331 livres, while of the card money there were only 38,222 livres. On account of the large drafts upon it, incident to the war, the French treasury once more began to get into difficulties and to postpone the payment of exchanges. In these

circumstances the credit of the treasury paper was first impaired and ultimately destroyed. When the card money was put on the same basis as the treasury paper it shared the same fate. The Company of the Indies, having control of the fur trade, still paid its exchanges promptly. About this time the company introduced the custom of issuing receipts for the beaver skins brought in, which receipts, at the close of the season, were convertible into bills of exchange on the company's treasurer in Paris. These bills of exchange being promptly paid, the receipts rose in favour, and eventually became another form of paper money in the colony. They were estimated next to the card money, and, when that lost its credit, they took rank next to specie.

Those holding the government paper endeavoured to convert their notes into the exchanges of the Company of the Indies, or into furs which could be exchanged for them. This caused the exchanges of the company and the prices of furs to rise rapidly. Trade began to be demoralized, and the people had a foretaste of the commercial and financial chaos of the last decade of French rule.

In 1748 the cheerful and unworried Bigot succeeded the troubled and apologetic Hocquart as the last of the intendants. The war coming to an end at the same time, Bigot, who had already acquired financial notoriety at Louisbourg, began to set his house in order. The deficits which had accumulated in Hocquart's time were due to the custom of appropriating so much for the expenses of each year, and regarding all expenditure beyond that sum as a deficit. Bréard, the comptroller and one of Bigot's associates, recommended that this custom should be given up and the deficits paid off, and that in future all the expenses of the year should be treated on the same basis. This proposal was adopted, and greatly simplified the book-keeping of the intendant's department. Best of all, however, it gave him that freedom of action which was so acceptable to a man of Bigot's generous temperament. With more success than his predecessor, Bigot in 1749 persuaded the minister to issue another 250,000 livres in card money, thus making the total issue a round million.

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The new intendant also had the treasury notes put upon a more satisfactory basis. Instead of being written out by hand in Canada, they were to be printed in Paris and issued in a series of definite denominations, and signed and stamped in Canada. The denominations in livres were 100, 50, 48, 24, 12, 6 and 3, and in sols 30 and 20. The treasury notes were thus assimilated to the card money and, being promptly redeemed for a time after the peace of 1748, acquired by the end of 1752 practically the same standard as the card money. Having thus practically identified the treasury notes with the card money, in which the people had great confidence, and having secured a perfectly free hand for the issue of these notes, while the card money was strictly limited in amount, Bigot had all the machinery ready for the exploiting of the colonial finances. When it found that Bigot's budgets were running up in an alarming fashion, even on a peace basis, the home government, unable to meet his convincing arguments in support of his course, adopted the temporizing expedient of extending the payment of the intendant's bills of exchange over three years. One-fourth of the bills drawn in any one year were to be paid the first year, one-half the second year and one-fourth the third year. The French government, by thus refusing to face the expenditure at the time it was incurred, gave Bigot greater freedom than ever for his activity. In this system of deferred payments the card money was included. Hence the superior credit of the cards vanished and prices in all forms of paper money rose.

When, in 1755, the king sent out regular troops to Canada, the officers and soldiers were promised that they would be paid in specie and not in the already depreciated paper currency of the colony. This policy at once established two prices in Canada, one for specie and the other for paper, but instead of lowering the existing prices, as was expected, it simply increased those prices when payment was made in paper. Further, the specie, instead of remaining in circulation, rapidly disappeared into the local hoards of the Canadian settlers, and its place was taken by the paper money thus relieved. A second consignment of specie to Canada, in 1756, had no other effect than to still further dis-

credit the paper currency. Consequently no more specie was sent, and as nothing but paper was employed for all the purposes of exchange, the colonial finances were soon in a hopeless state of inflation and corruption.

When it was too late to accomplish any reforms, the French government awoke to a consciousness of what was going on in the colony. They could not, however, reconstruct their finances during the war. After the colony was lost and everything was beyond control, Bigot and his associates in due course were tried and condemned, but little redress could be had. Meanwhile numerous French and English officials obtained lucrative employment in collecting and investigating the outstanding paper currency and unpaid bills of exchange. An attempt was then made to determine what fraction of them should be paid and on what terms. When the complete suspension of payment by France took place in October 1759, one-fourth of the exchanges drawn in 1757, three-fourths of those drawn in 1758, and the whole of those drawn in 1759 remained unpaid, besides the whole of the card money and treasury notes then in circulation in Canada. The total amount of outstanding Canadian paper was estimated by General Murray at 80,000,000 livres. Though the general body of the people held much of this paper money, the chief holders were the noblesse, the merchants and the government contractors. This was particularly true of the bills of exchange. Much negotiation, many wild rumours, and no little jockeying for present profit and future benefit, political and other, filled the years between the loss of Canada in 1759 and the treaty of 1763 which confirmed the English possession of the colony. The treaty, however, left the question of the ultimate fate of the paper money and bills of exchange in a very uncertain condition. Some of the British merchants, relying on the fair promise of the French government, bought up a considerable quantity of the paper at about fifteen per cent of its face value. Yet those who sold at that rate had occasion before long to congratulate themselves on their foresight.

The French court first jockeyed the situation so as to shut out all the paper money in Canada. Then, in providing for

the payment of the bills, such conditions and discriminations were introduced as carefully safeguarded the holders in France, but not those in England or Canada, though the latter were not, of course, excluded by name. The British government, taking up the cause of the holders in Canada, protested against the method of disposing of the claims adopted by the French government. Negotiations continued during 1765 and the early part of 1766, and resulted in the convention of March 29, 1766. Under this the bills of exchange were to be paid on the basis of fifty per cent of their face value, and the cards and *ordonnances* on the basis of twenty-five per cent. The 'payment' was to consist of government debentures bearing interest at  $4\frac{1}{2}$  per cent. The time for receiving paper money in Canada was extended to October 1, 1766.

No sooner was this convention signed than further difficulties began to arise. However, during 1767 the French court became alarmingly reasonable and accommodating, granting almost all the requests of the English authorities. In 1768 the promised funds bearing interest at  $4\frac{1}{2}$  per cent were issued, but the credit of the French government was already so precarious that these securities immediately fell to 74. In January 1770 the interest on them was reduced to  $2\frac{1}{2}$  per cent, and the following month the payment was totally suspended for four years, which meant for ever. Within the following year the securities became worthless, the French treasury being practically bankrupt. Soon France was again at war with England in support of the revolting colonies, and the long-drawn-out comedy of preparation to redeem the paper money was at an end.

#### BIGOT AND HIS ASSOCIATES

There is little of economic interest to record concerning the last few years of French rule in Canada. The progress of the country was paralysed by war. The colonists were more than ever withdrawn from productive industry and utilized in military operations, and in the transport service associated with them. It is true that the expenditure of the government increased by leaps and bounds, but the importations of

foreign goods and the highly inflated expenditure on government were not connected with the ordinary business of the colony, nor did the enormous profits realized enrich the productive agencies of Canada. Instead of encouraging trade and industry, these immense government expenditures simply demoralized and discouraged them. Most of the expenditure of the period was due to the lavish presents given by the king to the Indians in order to retain their alliance against the British. Early in the final struggle the drafting of so many men into military pursuits resulted in poor harvests, so that the export of provisions from Canada had to be prohibited in 1755. Arrangements were made for placing the grain and other supplies in stores, under the administration of government officials. Many other arrangements of a similar character were made at this time in order to facilitate the command of the executive over the available resources of the country. But, though necessary enough under certain circumstances, in this case they only furnished the intendant Bigot and his accomplices with a most convenient means for making gain out of the needs of the government, the troops and the people of Canada.

In 1755 the Marquis de Vaudreuil became governor, much to the joy of the people. It was expected that he, as the son of a former governor and in a measure one of themselves, would be useful in protecting the country against its enemies, whether domestic or foreign. Vaudreuil, however, soon fell under the influence of Bigot and his party, and extolled them for their patriotism and efficiency while they were most actively engaged in pillaging the country and weakening its powers of resistance.

Bigot was evidently a man of unusual ability, insight and organizing power. As an honest administrator he might have been of quite as much service to the country as the greatest of his predecessors, Talon. But his temperament was different, and his experiences at Louisbourg had divested him of all patriotic regard for the welfare of his country and produced in him a cynical indifference to everything beyond his own personal interests and those of his friends. His associates, as a rule, were much below his own level. Many

of them were men of great industry, but they employed it largely in the service of their own insatiable greed. They joined eagerly with Bigot in the enterprise of exploiting Canada during the last years of French rule. Among the most active of these associates were such men as Bréard, comptroller of the Marine; Cadet, purveyor-general; Péan, 'aide-major' of Quebec; and Deschenaux, secretary to the intendant, the three latter being colonials. It may be observed that the positions occupied by these men gave them abundant opportunity for the exploiting of government finances and the manipulation of the government contracts.

At Quebec a great store was built and placed in charge of one Claverie, an agent of Péan. In this building, under cover of a supposed retail trade establishment, produce and goods were stored, and from it the military and other needs of the government were supplied at exorbitant profits. This establishment and a similar one at Montreal, under an associated management, were popularly named at the time 'La Friponne,' or the Cheat. At Montreal, Varin, commissioner of the Marine, and Martel, the king's storekeeper, were the chief agents of the association. In 1756 the system, having got well established at Quebec and Montreal, extended its organization to embrace the most important of the western posts. Cadet was appointed chief commissioner of stores, and the storekeepers of the western posts were required to deal directly with him. In connection with this development three other agents of the inner circle came into prominence, and, incidentally, into much wealth. Corpron, a disgraced mercantile clerk, became the confidential agent of Cadet, while Penisseau and Maurin, the latter a hunchback, were his chief representatives at Montreal. Female influences of a very questionable character permeated all the relationships of the group.

By means of his powers as the agent of a paternal government, Bigot, after each harvest, fixed the prices at which provisions should be sold, and when the farmers refused to sell at these prices Cadet commandeered their crops. Subsequently, when the needs of the government and the people

forced the prices up, 'La Friponne' sold them, as well as the imported goods, to the people and the government at enormous profits. Thus in 1757 grain was commandeered at six livres and sold through the country at twenty-four livres, realizing some four hundred per cent.

Apart from these nefarious operations of Bigot and his associates, there was little worthy of economic consideration during the closing years of French rule in Canada. No new enterprises were established, and there was little inducement to extend those which were already in operation. When not employed in military or transportation services, the inhabitants cultivated their fields as best they might, and confined their wants almost entirely to those which could be supplied by the colony itself. In Quebec and the larger towns there was, on the one hand, an unusually extravagant display of wealth, and, on the other, evidence of poverty and indigence. These exceptional features in a raw and undeveloped colony were but the marks of a highly artificial and temporary condition. No one expected or tried to make profits from the development of the resources of the country, but all looked for quite extravagant gains from securing a share in the ever-increasing expenditure of the French government. In 1755 the expenditure of France in Canada had risen to what was then considered the extravagant sum of 6,000,000 livres, but the following year it rose to 11,000,000 livres, while in 1757 it reached 19,000,000 livres. Altogether, between 1755 and 1760, the French government expended 104,000,000 livres in Canada. As we have seen, much of this was in inflated paper currency, but it indicated the abnormal condition of affairs.

In a word, Canada had drifted into an unreal and impossible condition, which paralysed its own natural progress and yet fostered extravagance and corruption. Even if Canada had been restored to France after the war, a complete revolution in the economic methods of the colony, and radical changes in its relations to France, would have been necessary. The truth is that France had, for some years past, lost interest in Canada as a field for French enterprise and colonization. The country was treated merely as a basis for attacks upon

one of the chief sources of British wealth and power. The people of Canada were looked upon as so many instruments available for assistance in this struggle—a struggle which the French regarded as chiefly European, though the English looked upon it as chiefly colonial.

A handwritten signature in cursive script, appearing to read "Cedars Shantz". The signature is fluid and somewhat stylized, with a prominent "C" at the beginning.

THE SEIGNEURIAL SYSTEM  
AND THE COLONY



## THE SEIGNEURIAL SYSTEM AND THE COLONY

### I

#### THE ORIGIN OF CANADIAN FEUDALISM

##### PRIMITIVE FEUDALISM

OF the various institutions which France brought to her colonies across the seas, there was one which more than any other served to give the old régime in Canada a distinctive stamp, for it fastened itself upon New France with an unyielding grip, and during two centuries of existence managed to imprint its picturesque colour upon every phase of the colony's political, social and economic life. This was the great mediaeval institution of feudalism, in its later and less vigorous days more accurately known as seigneurialism, or the system of seigneurial tenure. On its face it was a system of land tenure, a body of long-standing customs governing the relations of greater to lesser land-holders—nothing more. In reality it was the system of relations which governed not only the tenure of landed property but the whole structure of civil society. It moulded the frame of government, influenced the methods of civil administration, determined the grouping of the social classes, forced the economic activities of the people into its own peculiar grooves, and was not without its effect even upon the policy and the achievements of the church. Few institutions have been so consistently misunderstood, and this is, in large measure, because the extensive ramifications of feudalism have been but rarely appreciated.

Feudalism, as has been said, was ostensibly a system of private relations based on the holding of land. Its exact

genesis has long been a matter of historical controversy, but it made its appearance during the centuries of political chaos which followed the collapse of the Roman Empire, and it very likely embodied in its earlier days the fusion of both Roman and Teutonic ideas. Stated in its simplest form, it was that scheme of land-owning in which large landed men gave smaller tracts to their followers upon terms of personal allegiance which involved service in time of war. These followers in turn granted still smaller tracts to their dependents on like terms, and this process of sub-infeudation might be repeated three or four times, if not more. Thus there was created a social and military hierarchy, in which each holder of land was liegeman of an immediate superior, who was in turn a liegeman of another still higher. The focus of this liegenschaft was in the ducal or kingly power, as the case might be. But, although the central principle of feudalism may be thus simply stated, the development of this into a system proceeded in various parts of Europe along somewhat different lines, and, as a result, there never was at any stage a situation lending itself to exact definition and description. In France the military aspect of feudalism was kept well in the foreground until the closing century of the Middle Ages, when the growth of royal power and the adoption of new methods of warfare reduced the feudal array to a place of little or no importance in the system of national defence. The military service rendered by vassal to lord was gradually supplanted by various obligations of a non-military nature. These latter varied of course in different feudal jurisdictions, but some general lines of uniformity appeared—throughout the northern provinces of France, at least. Every small landholder, for example, paid to his immediate superior, or seigneur, a trifling annual sum commonly known as the *cens*. When a small holding changed proprietors, however, another payment known as *lods et ventes* was exacted. Then there were various other obligations imposed upon the peasant or *censitaire*—the duty of taking his grain and grapes to the seigneur's mill and wine-press, or the *banalités* as they were called, the necessity of giving the seigneur so many days of

free labour (*corvée*) in every year, and a dozen other impositions of a like nature, all of them more or less irksome.

But the strength of primitive feudalism lay largely in the personal bond which existed between the vassal and his lord. When the military obligation was suspended, this bond weakened ; the seigneur came to look upon his seigniory merely as a source of income ; and his interest in his seigneurial dependants became almost wholly pecuniary. The seigneurs in large numbers went to Paris to live, leaving their lands in charge of agents or bailiffs, who stretched every seigneurial privilege to the utmost productive point in order that the seigneur's yearly revenue might be thereby increased. This curse of absenteeism, together with the decline of the personal bond into a sordid cash nexus, sapped the feudal system's early vitality, and by the seventeenth century many of the symptoms of decay were plainly disclosed.

This, then, was the system which France transplanted to the shores of the St Lawrence. It is one of the chief counts in the long indictment which some historians have framed against her policy in the New World that she burdened her colony with an antiquated relic of mediævalism. The action of the French authorities was, however, neither illogical nor without justification. The seigneurial system in France, while unquestionably declining in vigour, was still predominant there ; it was still the basis of the whole social structure. It was, accordingly, just as natural for the French to bring this type of tenure to Canada, as for the English to carry with them to Massachusetts a system of landholding in free and common socage. The feudal system came to Canada because it was the only form of tenure with which Frenchmen were fully familiar at home. Furthermore, the new environment appeared even more promising than the old. Conditions in the colony seemed not so very unlike those which in Europe had given feudalism its opportunity for useful service more than ten centuries before. A small body of colonists, surrounded by aggressive enemies and forced to counteract their numerical weakness by a closely knit organization, would naturally find a system of feudal tenure well suited to their more urgent needs. That it did

in some ways serve the most urgent needs of French Canada during the colony's precarious infancy is quite beyond question. More than any other institution, it enabled French dominion in North America to prolong its days.

From the year 1608, when Champlain began his task of establishing a Bourbon empire in the New World, down to the time when Canada passed into the hands of her conquerors, the colony had one great and perpetual problem. This was the problem of self-preservation. There was never a time, throughout this period of over a century and a half, when the English colonists to the south did not outnumber the French in Canada by at least twelve to one. In other words, the relative numerical strength of the French and English colonies in North America was about the same as the relative numerical strength of Canada and the United States at the present day. This being the case, why did not the English conquer the French colony on the St Lawrence as readily as they took the Dutch colony on the Hudson? It was chiefly because the French made up in large measure for their numerical disparity by their more highly centralized social, political and military organization, by their unity of interest and purpose, and by their policy of turning every branch of colonial activity into those channels which fostered defensive strength. They realized, if any band of men ever realized, that defence was a more urgent goal than opulence. The seigneurial system was not least among the agencies contributing to this general policy of turning the colony into a huge armed camp. In Canada, therefore, the system regained much of its ancient virility; the military obligation revived; the old personal bond between seigneur and follower came to the front once again, and other distinctive characteristics of early feudalism reappeared. Throughout the whole of the French régime the system served staunchly the colony's most pressing need. It was only after 1760, when the land passed into strange and unsympathetic hands, that seigneurialism came to be really out of gear with its social and economic surroundings.

It was Richelieu, Parkman tells us, who first introduced feudalism to Canada. Certain provisions in the charter

of the Company of New France (1627) are commonly brought forward as evidence that the great cardinal-statesman had in mind the creation of a powerful feudal empire in North America. As a matter of fact, however, the commission given to the Sieur de la Roche in 1598, a full quarter of a century before Richelieu became chief minister of state, gives ample proof that the project took shape many years before 1627. La Roche's commission gave him the title of lieutenant-general of all the dominions claimed by France in North America, and authorized him to establish there a seigneurial hierarchy of landholders. This patent declares that :

To increase and extend the goodwill, courage, and affection of those who are about to embark in the said undertaking, and also of those persons who shall settle in the said territories, we have given him authority, as respects the said lands so to be acquired for us in the course of the said voyage, to grant the same in full property to all those to whom he may concede them ; that is to say, to gentlemen and to those whom he may consider persons of merit, in the form of fiefs, seigniories, châtelainies, earldoms, viscounties, baronies, and other dignities, to be holden of us in such manner as he shall consider due to the services performed by the respective parties, on the condition that they shall aid in the support and defence of the territories ; and to other persons of inferior rank, on such dues and annual rentals as he may deem just, of which we agree that they shall remain quit and discharged for the first six years, or such other period as our said lieutenant-general shall believe to be right and necessary, excepting always duty and service in the event of war.<sup>1</sup>

#### THE COMPANY OF NEW FRANCE

The venture of the Sieur de la Roche was a disastrous failure ; but the project was not abandoned. Within a decade Samuel Champlain founded his settlement at Quebec, and the new lieutenant-generals, whom he represented in the colony, received, by the terms of their commissions, most

<sup>1</sup> The commission may be found in *Édits et Ordonnances du Roi concernant le Canada* (3 vols., Quebec, 1854), iii. 7-10.

of the powers given to the ill-starred La Roche. Not only did they have power to grant seigniories, but, before Richelieu came into power, three seigniories on the St Lawrence had actually been granted. The first of these was made in 1623 to Louis Hébert, who obtained the fief or seigniory of Sault au Matelot near Quebec. Then Guillaume de Caen secured, in the year following, the seigniory of Cap Tourmente, and in 1626 the Jesuits obtained the first of their long list of grants, the fief of Notre Dame des Anges.<sup>1</sup> Each appears to have been made on the recommendation of Champlain, although the title-deeds were signed by representatives of the crown in France.

In 1627 an important step in the development of the royal policy was taken. Richelieu was now chief minister, and one of his early enterprises was the creation of a commercial organization called the Company of New France (or more commonly the Company of One Hundred Associates). To this company, by its charter of 1627, the French king entrusted the supervision of Canada and the other territories claimed by France in the western hemisphere.<sup>2</sup> Through its officers the company was empowered to distribute the lands of the colony in such manner as might be deemed proper, and to grant such titles and honours as might befit the quality of the recipients. Should the company desire to confer the title of duke, marquis, count or baron, however, royal approval must first be obtained.

When the company assumed control of its new dominion, regulations governing the grants of land were at once framed and adopted. Under these rules the first company grant was made in 1634 to Robert Giffard, who received the seigniory of Beauport on the north shore of the St Lawrence just below Quebec. Giffard was a Percheron who had first come to the colony as an apothecary or surgeon on one of the trading vessels. He is frequently referred to as 'Canada's

<sup>1</sup> The deeds may be found in *Titres des Seigneuries* (Quebec, 1852), 53, 373.

<sup>2</sup> The charter may be found in *Édits et Ordonnances du Roi concernant le Canada*, i. 5-11. It is sometimes spoken of as the charter of 1627, and sometimes as the charter of 1628. This is because, while the decree is dated April 29, 1627, the letters patent confirming its provisions were not signed by the king until May 6, 1628.

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first seigneur,' but this is hardly correct ; the honour belongs properly to Louis Hébert, seigneur of Sault au Matelot. Giffard was, however, the first seigneur to take his duties seriously. He brought out some settlers and made his fief a thriving community. The example was not without its influence in the colony, and several other settlers applied for and received seigneurial grants, which they began to clear and develop with varying success. During the next thirty years the Company of New France granted in all some sixty seigniories, but most of them went, unfortunately, to ambitious directors and associates of the company who never came to the colony, and who seem to have sought extensive tracts for speculative purposes only.<sup>1</sup>

The Company of New France did very little for the agricultural development of the colony during the thirty years of its existence. Comparatively few settlers came to Quebec, and of these still fewer were sent at the company's expense. The exploitation of the fur traffic seemed to be its main interest, and its officers made little or no effort to assist or even to encourage the clearing and cultivation of the land. The areas around the settlements at Quebec, Three Rivers and Montreal were put under the plough, but the intervening territory remained, down to the close of the company's régime, an untouched wilderness. Complaints of the company's apathy grew numerous, and although the real situation was kept, so far as possible, from the knowledge of the royal government, these complaints reached the ear of Colbert, who had now become chief minister, and in 1663 a radical change in policy was decided upon.

The new minister determined to make Canada a royal province. The Company of New France was induced, doubtless under the influence of some pressure which the official records do not disclose, to surrender its charter, and this surrender was accepted in a royal decree which soundly berates the associates for their avarice and inaction. All seigneurial grants which had not been improved were by the

<sup>1</sup> Most of these title-deeds were printed by the Canadian government in the second volume of an official compilation entitled *Pièces et Documents relatifs à la Tenure Seigneuriale*, issued during the years 1852-54.

same decree revoked. Then followed a comprehensive decree establishing for the colony a direct royal government consisting of a Sovereign Council made up of a governor, an intendant, the head of the church in New France *ex officio*, and some appointed councillors. This new body and these officers were to have full administrative and judicial powers, subject only to the authority of the royal government at home.

This new step did not, however, remove the colony permanently from the clutches of a commercial company. Colbert simply replaced Richelieu's defunct organization by a new company of his own, called the Company of the West Indies. This new company, chartered in 1664, received among other extensive rights the power to grant lands and to determine the conditions under which such grants should be held. A new feature in the history of the colonial land-tenure system appears, at this juncture, in the provision that henceforth all contracts should be made and construed in conformity with the Custom of Paris. But the Company of the West Indies, like its predecessor, became at once engrossed in the fur traffic, which yielded lucrative profits, and developed no interest in the matter of granting or improving agricultural land. Two years after its establishment it asked, through its colonial agent, that this latter branch of administration be transferred to the royal officials. The request was favourably considered, and during the next ten years or more grants of seigneuries were made, with few exceptions, by the royal intendant.

#### TALON'S MILITARY PLAN

Now, it so happened that the royal intendant in Canada at this time was Jean Talon, an official who has often been called the 'Colbert of New France.'<sup>1</sup> Like his chief at home, Talon was primarily interested in the development of agriculture and industry among the people. He therefore

<sup>1</sup> Full details concerning the policy and work of Talon during his intendancy in Canada are given in the notable biography of the intendant, published a few years ago by the Hon. Thomas Chapais (*Jean Talon, Intendant de la Nouvelle-France*, Quebec, 1904).

urged the sending of settlers to Canada at the royal expense, and as these settlers came to Quebec they were provided with lands, parts of which were already cleared and made ready for cultivation. A new spirit was infused into the administration, and for a few years the colony made progress at a rapid rate. During the seven years intervening between 1666 and 1673 the colonial population had nearly doubled. But Talon's most ambitious project was that of establishing in Canada a permanent military cantonment, or group of military seigniories.

During 1665 the French government had sent out to Quebec the Carignan-Salières regiment, one of the best corps of the regular army, and this detachment had been used effectively in the expedition which was sent during the summer of 1666 into the territory of the Mohawks.<sup>1</sup> As the regiment numbered about one thousand men, rank and file, its maintenance as a permanent garrison in the colony would have been rather expensive, and the French government intended, when its work of crushing the Mohawks was done, to withdraw it to France. Talon, however, came forward with a plan whereby the larger part of the detachment might be kept in the colony and made available for military service without any lasting expense to the royal treasury. This plan he submitted to the royal authorities in the early months of 1667.

Briefly stated, Talon's plan proposed that generous tracts of land should be given to such officers of the regiment as might consent to become seigneurs in the colony, and that these officers should in turn induce their non-commissioned officers and men, by liberal sub-grants of land, to remain as permanent settlers in Canada. In his outline of the plan Talon recalled the practice which had been followed in the Roman Empire, when disbanded legions had been settled on the lands of the border provinces, in order that these *praedia militaria* might strengthen the imperial outposts.

<sup>1</sup> The history of this famous regiment may be found in Louis Susane's *Histoire de l'ancienne infanterie française* (8 vols., Paris, 1849-53), vol. v. pp. 236 *et seq.* The exploits of the regiment during its active service in Canada are described in Benjamin Sulte's paper on 'Le Régiment de Carignan' in the *Proceedings of the Royal Society of Canada*, 1902, pp. 25-95.

'The practice of this politic and warlike people,' he declares, 'might be very properly followed in a land separated a thousand leagues from its monarch,' and destined, as he predicted, to be left very largely to its own resources in matters of defence. The intendant suggested that not only lands but an initial money bonus should be given to both officers and men, so that they might be enabled to make a good start in the New World. It was the intendant's hope that the disbanded soldiers, once settled on the land, would be quite as serviceable to the colony as any detachment of regular troops, and even more so, since they might be counted upon to show that zeal in defence which characterizes men who fight for the protection of their own homes. The intendant also suggested that, following Roman precedents, the title-deeds of all lands henceforth granted in the colony should pledge landowners to send their sons, on reaching the age of sixteen years, to be trained in military service.

Talon's plan was endorsed by his colleagues in the Sovereign Council at Quebec, and promptly approved by the king, who provided the funds necessary for carrying it into effect. The money allowance was roughly the equivalent of a year's rations and a year's pay to each officer, non-commissioned officer and soldier. Some members of the regiment declined the terms and went back to France, but to the majority the proposals proved attractive. About twenty-five officers, chiefly captains and lieutenants, decided to become Canadian seigneurs, and several hundred soldiers stayed with them. Talon had executed a clever and profitable stroke.

Now, it was part of the intendant's plan to place these new military settlers where they would do most good, that is to say, where they would be most readily available in case of need. His choice of location was easily made. New France had one particularly vulnerable point—the region along the Richelieu River. This was the portal through which the Mohawks and the English colonists might naturally be expected to make their way into the heart of the colony. It was, therefore, determined that the disbanded Carignans should be located along both shores of the Richelieu and on

the south shore of the St Lawrence, within ready distance of the point where those two streams unite. Generous allotments were made to the officers ; the men proceeded to choose their farms ; and before the close of 1668 the whole plan was in full operation. In due course, formal deeds were issued conveying to each officer the title to his land with full seigneurial privileges.

The establishment of the Carignans gave an impetus both to the seigneurial system and to the general agricultural development of the colony. It was not that the military officers proved themselves successful pioneers ; for they did not. The good soldier, as usual, made a rather indifferent yeoman. Most of them encountered difficulties, went into debt, mortgaged and lost their seigniories, and eventually drifted back to France. The non-commissioned officers and men, for the most part, fared somewhat better. But the plan gave the colony some prestige in France, and settlers began to come in larger numbers. Among the immigrants were some hundreds of women, whom the royal authorities, at the intendant's request, had assisted by giving them free transportation to the colony. The progress of the colony, as shown by the figures of population submitted to the king during the next half-dozen years, was highly satisfactory.

#### SLOW GROWTH OF AGRICULTURE

Agriculture, however, did not make headway in like degree, for too many of the new settlers showed an aversion to the prosaic life of the husbandman. This was not so much because the land was poor or ever failed to yield its increase, but rather because the fur trade offered a manner of livelihood much more fascinating to the young Frenchman. As a matter of fact, this trade did not often yield much profit to the average colonist who embarked in it. All expected to find a quick fortune, but very few made anything considerable, for what a man gained one season he was quite apt to lose during the next. Yet there was in the forest trade that freedom which many civilized men feel when they come into touch with savage life, and even the element of gambling, which made the profits of the trade so largely a matter of

chance, seems only to have added to its attractiveness. At any rate the officials found it most difficult to keep settlers behind the plough; the lure of the wilderness was too strong, and they left by hundreds to become *courreurs de bois*, often abandoning their lands and families. The punitive weapons of both civil and ecclesiastical authority were continually directed against this hegira, but to little purpose; the fur trade long continued to retard the more permanent interests of the colony.

There were, moreover, other obstacles in the way of agricultural growth. The Mohawks had been given an exemplary lesson in 1666, but their power had not been crushed, and the outlying parts of the colony were still in danger from Iroquois raids. In no part of the country, indeed, except the towns, were settlers free from the danger of surprise and massacre at any time during the seventeenth century. There were a few fortified posts with meagre garrisons here and there, but they afforded little security, and colonists often went armed to their fields and almost always worked in groups, so that they might not be attacked unawares. Settlers therefore disliked to push out beyond the immediate bounds of settlement.

Another important cause of tardy agricultural development, if we may believe the reports of colonial authorities, was the lack of zeal shown by most of the seigneurs. Many of the colonial seigneurs had come without capital from France, and upon arrival had been given generous tracts of land on favourable terms with the understanding that they were to induce settlers to come out from France, and exert themselves diligently in getting such settlers properly located. Other seigneurs were men who, after working for a time as artisans or traders, sought seigneurial rank for the social standing which it was supposed to give. In all cases seigniories were given on very lenient conditions. No initial payment was exacted, the only important financial obligation being that which required the payment of the quint (a mutation-fine of one-fifth of the value of the seigniory) whenever a seigneurial tract changed owners otherwise than by direct inheritance. This payment went to the colonial

treasury, but it was the practice to remit one-third of its amount, and frequently the king, on the recommendation of his representatives in the colony, remitted it all. In addition, the seigneur was under obligation to render fealty and homage to the crown on appropriate occasions, to file with the royal registrar at Quebec a description and plan of his seigniory (*aveu et dénombrement*), and commonly to reserve for use in the royal shipyards all suitable oak timber that might be found within the confines of the seigneurial tract. There was no annual rental of any sort, and the obligation of military service, while regarded as being in full force and effect, was never expressly stipulated in any of the seigneurial deeds, not even in those granted to the officers of the Carignan regiment.

## II

### THE ECONOMICS OF FEUDALISM

#### FEUDAL RENTS

IT was the expectation of the governor and intendant that, in view of these favourable terms, the seigneurs would be equally generous to settlers. These, it was expected, would be asked to make no initial payment when they chose their lands, but would be allowed to take their farms subject to the payment of small annual charges and the performance of a few minor services. Now the regular annual charge upon lands held *en censive* was commonly known as the *cens et rentes*. Ordinarily regarded by the people as a single obligation, it was really made up of two separate impositions, each of which had a different origin and nature. The *cens* was a money payment, but in the seventeenth and eighteenth centuries it was merely nominal in amount. Whether it was always a merely nominal due, imposed simply as a mark of the seigneur's supremacy, as some have claimed, or whether it was, on the other hand, a pecuniary imposition which in the earlier centuries formed a real source of seigneurial revenue, but, through depreciation in the value of money, had in time become merely nominal—these are questions of origins which

legal antiquarians have wrestled with and have not solved satisfactorily. In New France, at any rate, the *cens* amounted to a few sous for each farm. It was never fixed uniformly throughout the colony, although at least one intendant strongly urged that this be done by royal decree, and, in corroboration of his statement that there was wide variation in the rates, sent home a tabulated statement, which was apparently lost at sea. The second Arrêt of Marly, promulgated in 1711, forbade seigneurs from exacting more than the rates customary in the neighbourhood, but even this left room for variation. In no case, however, does the *cens* seem to have constituted a real burden.

With the *cens* went the *rentes*, this latter being fixed in terms of money or produce, or both. The amount of *rentes* was stipulated by the seigneur whenever he made a grant of lands, and usually called for annual payments in grain or poultry. Here again the exaction was not onerous, for it amounted only to a few fowls and a few measures of meal, and the habitant might commute the obligation by making a small money payment in its stead. Some of the seigneurs, when money was scarce, seem to have insisted upon having the money instead of the grain or poultry, and one of the intendants complained to the king that this practice was objectionable—but in this matter the seigneurs had the law on their side.

The *cens et rentes* were paid annually, usually on St Martin's Day (November 11). The day became a local festival, and, in the more populous seigniories, the habitants came to the seigneur's house by scores to tender their payment, and to spend the rest of the day gossiping with their neighbours. New France certainly did not lack fêtes, festivals and holidays. Between the days set apart for honouring the church, the state and the seigneur, there were none too many left for labour. Catalogne, in his famous report, complains that there were too many such interruptions, and estimated that the habitant did not do more than ninety days' work from the time the snow left till it came again.

Another obligation was that known as the *lods et ventes*,

but this payment was due only when a farm changed hands otherwise than by direct inheritance. If the farm were sold, or if it passed by inheritance to collaterals, the seigneur was entitled to receive one-twelfth of its estimated value. Of this amount the seigneur was accustomed to give a rebate of one-third, although he was apparently under no legal obligation to do this. The *lods et ventes* were payable in money, within forty days after a farm changed hands, and, if the seigneur thought the mutation-price too low, he had the right to buy the farm at the price upon which the twelfth was tendered. Throughout the greater part of the French period the amount realized by the seigneurs from this obligation was comparatively small. The farms changed owners infrequently, and, when their ownership did change, they were seldom of sufficient value to yield a mutation-fine of any account. It was only in later days, when the lands of the colony rose substantially in value, that the *lods et ventes* became a real source of seigneurial income.

#### SEIGNEURIALISM AND INDUSTRY

Then there were the *banalités*. In France their name was legion, for there the seigneur had a monopoly of the grist-mills, ovens, wine-presses, slaughter-houses and a dozen other agencies of local service. No one but he could set up any one of these in his seigniory, and all were forced to come to the seigneur's mill, oven or press, and pay him what were very often exorbitant charges. In Canada there was only one banal obligation of any consequence—the obligation of the flour-mill banality. The Canadian seigneur had the right to build a mill within his seigniory, and all his dependants were under obligation to bring their grain there to be made into flour. For his services the seigneur was permitted to exact a toll of one-fourteenth. If the seigneur did not provide a mill, the habitants might combine to construct one for themselves, in which case they were for all time released from the obligation. The system of seigneurial grist-mills has sometimes been mentioned as a serious burden upon the agricultural population of New France; but as a matter of fact it was never so regarded. The toll was so meagre that,

save in the best-settled seigniories, it did not suffice to pay the wages of the miller, much less to provide the seigneur with any profit for himself. Yet the royal authorities insisted that seigneurs should build and operate mills even when this had to be done at a loss. The burden of the banal-mill system fell, therefore, more often upon the seigneur than upon the habitants. It was not until after the British conquest that the more rapid settlement of the country turned the right into a source of seigneurial emolument.

The mills of the seigneurial period were crude, clumsy and poorly constructed affairs which often did little more than crack the wheat or corn into coarse meal—it could hardly be called flour. As the grain which came to them was hardly ever properly cleaned, the product suffered in consequence, and on one occasion the bakers of Quebec complained to the authorities that the so-termed flour was not fit to use. The mills were built usually in tower-like fashion, and were sometimes loopholed so that they might, in an emergency, serve as places of defence against Indian assaults. Most of them were windmills, and as nature did not always obey the millers' orders, the habitants complained that they were often compelled to wait for days before wind enough arose to turn the clumsy wheels. There were plenty of complaints regarding the inefficiency of these banal-mills, but apparently no serious objection to the system under which they were built and maintained.

As to the oven right, it was never very seriously asserted in Canada. Some seigneurs inserted in the title-deeds of farms granted by them a provision that the habitants should bring their dough to the seigneurial oven, whenever such should be erected, and Raudot sent a spirited protest to the home government against this practice. 'The seigneurs,' he wrote, 'feel themselves so ill-grounded in claiming this right on account of its impossibility, that they do not exact it now, but they will at some future date make use of the stipulation to compel the habitants either to submit to it or else to redeem themselves from it by a fine.' The intendant went on to point out that the obligation, while rational enough in France, was absurd in Canada. 'It is a right,' he

declared, 'which must be suppressed, . . . for besides the inconvenience to which it would subject the people at all seasons, it would be an impossibility in winter, for their dough would be frozen before they could reach the place where the oven was situated.' But the forebodings of the intendant were without basis—the seigneurs made no effort to erect ovens. Indeed, their experience with the mills did not make them very partial to any form of banal obligation.

Much has been said in historical writings concerning the corvée or obligation to give to the seigneur so many days of free labour in each year. In France the corvée exaction undoubtedly cloaked outrageous abuses. Peasants were taken from their farms and forced to spend weeks on the seigneur's demesne, while their own grain rotted in the fields. But, in Canada, it was very rarely that a seigneur exacted more than six days of corvée per year, and usually he asked for only three—one day in the ploughing season, one at seed-time and one at harvest. Moreover, the habitant, if he preferred, might commute the service by paying forty sols for each day of labour. Many seigneurs never exacted the labour, for, on the days that habitants worked for him, the seigneur had to feed them, and that fact seems to have grievously impaired the value of the corvée from the seigneurial point of view. At any rate, the official records contain no evidence that the corvée was ever looked upon as a popular burden of any consequence.

As for other seigneurial prerogatives, they were numerous enough, but for the most part they were rarely exercised and, when they were, proved of slight account. The title-deeds, for example, which the seigneurs granted, contained many reservations, but the seigneurs seldom availed themselves of their rights in this regard. They might legally take from granted lands oak-timber, firewood, building-stone and sand, minerals, and so forth. But when they took such materials—which they seldom did—they appear to have given the habitant something else in return, and not infrequently they paid him in money.

In the early days of Canadian feudalism the settlers obtained their farms readily upon the foregoing rather lenient

terms. But with the increasing influx of population some of the best-placed seigneurial lands acquired value, and the seigneurs began to show less disposition to grant these lands on the usual terms. In 1707-8 the intendant, Jacques Raudot, called the attention of the home government to this condition of affairs. Some of the seigneurs, he declared, were refusing to give lands to settlers, except upon condition of an initial money payment ; others would grant farms only upon assurances that more than the customary annual dues would be forthcoming. Many incoming settlers, it was added, had taken lands upon the mere oral word of the seigneur and then found, when formal titles were given them, that the seigneurial dues were fixed at rates higher than they had anticipated, and higher than those exacted from settlers who had come earlier. Raudot suggested that it would be well to have a royal decree fixing uniform rates of dues and services for all lands in the colony, and that those seigneurs who had not built grist-mills in their seigniories should be ordered to do so at once, or, in default, should be for ever deprived of their seigneurial milling privileges. The intendant pointed out that this latter suggestion had been embodied in a royal decree issued some twenty years before, but that, although this decree had been registered in the records of the Sovereign Council of Quebec, it had never been publicly promulgated, and the people of the colony were wholly ignorant of the fact that any such decree had ever been issued. This outcome had been due, he complained, to the fact that most of the councillors were seigneurs and did not want to obey the decree themselves. ‘It is thus,’ he added, ‘that the king’s commands are obeyed in this colony, where, I can assure you, the interests alike of the crown and the public would be wholly sacrificed to the avarice of private individuals if they were not continually guarded.’

#### THE ARRÉTS OF MARLY

The specific recommendation that seigneurial dues should be made uniform by royal decree was not accepted by the home authorities. The latter proceeded to correct the abuses in their own way, and according to their own notions of what

was right and wrong. It was characteristic of French colonial policy during the old régime that the home government rarely respected the advice of men who were on the ground. The royal ministers drew up and obtained the royal assent to two decrees, commonly known as the Arrêts of Marly, which bear date July 6, 1711. These were important ordinances—perhaps the most important in the history of Canadian seigneurialism—for they fundamentally altered the relations which had hitherto existed between the colonial seigneurs and the crown.

The first of the two arrêts states, in its preamble, what appeared to the royal authorities to be the root of the whole trouble. The king had granted generous tracts of land to the seigneurs, not through any desire to secure their personal preferment or prosperity, but solely that they should thereby be inspired to zealous effort in bringing settlers to Canada, and properly providing for such settlers when they came. It was farthest from the royal purpose that lands, granted so freely to the seigneurs, should be held by them for speculative purposes, and that the seigneurial system should thus hinder, rather than help, the interests of colonial development. The decree, therefore, provided that seigneurs should no longer be permitted to exact more than the rates of dues customary in their neighbourhood. If any one desired a farm and was willing to clear and cultivate it, he was, by the terms of the decree, entitled to select his location and receive a deed for it from the seigneur, at the customary rates of annual dues and without any money bonus or entry fee (*prix d'entrée*). If the seigneur declined to concede the land on such terms, the royal agents at Quebec were authorized to issue the deed, and the dues, in such cases, were to go to the colonial treasury and not to the seigneur. Furthermore, the first of the two Arrêts of Marly provided that, 'within the space of one year from the date on which the present decree shall be published, the inhabitants of New France to whom His Majesty has granted seigniories and who have no territories cleared and no settlers located, shall be bound to secure settlers, or in the event of their failing to do so, the said seigniories shall be reannexed to the royal domain.'

Down to 1711 the seigneur had been legally free to grant or withhold lands as he saw fit. When he gave out a farm, he agreed with his new dependant for whatever annual payments and services he thought he could exact. Often he drove a very good bargain, for new settlers knew little about what was customary. But through the issue of this decree the whole situation was now changed. The seigneur was no longer an owner of property which he might deed or refuse to deed on his own terms. He became, at one stroke, a mere trustee for the crown, holding lands only that he might give them out on almost nominal terms to any one who might ask for them. He was now to hold his seigniory only so long as he proved an efficient trustee : if he did not show due zeal in getting settlers, his seigniory reverted to the king who gave it. This obligation to sub-infeudate—commonly known as the *jeu de fief*—clearly distinguishes the seigneurial systems of Old and New France respectively, for in Old France the seigneur was never under any such obligation. It is a striking illustration of the way in which the French authorities swept aside even vested rights in private property, when these seemed to stand in the way of public policy.<sup>1</sup>

The second Arrêt of Marly turned the guns of royal discipline upon the habitants, or those who held farms within the seigniories. In the opinion of the king's advisers the seigneurs of Canada were not the only sinners—even the actual tillers of the soil had disappointed the expectations of the king. Too many of them, the decree declared, had secured farms from seigneurs and had cleared only small portions of these lands, cultivating a few arpents in a slipshod way and depending mainly for their existence upon such intermittent ventures as hunting, fishing and trading. This, the decree declared, was unfair to the seigneurs and prejudicial to the agricultural interests of the colony. Provision was made, therefore, that farms remaining uncleared should be forfeited to the seigneurs who had granted them ; this

<sup>1</sup> There is an exhaustive study of this topic embodied in the opinion delivered by Chief Justice Sir Louis H. La Fontaine in the Special Seigneurial Court established to settle various disputed points in connection with the abolition of the seigneurial system (*Lower Canada Reports : Seigniorial Questions*, Quebec and Montreal, 1856).

forfeiture to be decreed by the intendant upon the request of the seigneur, verified by a certificate from the local captain of the militia vouching that the land remained unimproved.

If these two arrêts had been enforced literally and without delay, half the granted lands of the colony would have been forfeited. But, like many other royal decrees, they lost most of their vigour in crossing the Atlantic. The royal arm, so potent at Versailles, often proved utterly weak when extended a thousand leagues across the sea. The decrees were duly promulgated, then, so far as they related to the seigneurs, were for the most part quietly forgotten. It was not until a century and a half later, when, in the arrangements for the abolition of the seigneurial tenure, the seigneurs put forth exorbitant claims for compensation, that the opposing counsel brought these decrees to the front, and made the first arrêt the basis of their contention that the seigneur was not entitled to reimbursement as having a *dominium plenum* in his seigniory, but only as a *fidéicommis* of the crown. In the meantime slothful seigneurs, who put no settlers on their lands, continued to hold their seigniories as before. Only one order for the forfeiture of an uncleared seigniory was issued in compliance with the provisions of the arrêt, and there were probably some special reasons in that case.<sup>1</sup> Many seigniories continued with only a few inhabitants—some with none at all. The seigneurs, moreover, went on exacting dues in excess of the customary rates, and trafficking in their unimproved lands whenever the opportunity offered. At times some newly arrived settler would appeal to the intendant against the practice, whereupon the provisions of the arrêt would be enforced, and some land given him to hold directly from the crown at the customary rates. But most of the colonists knew little or nothing of their legal rights, as against seigneurial claims, and continued to pay the penalty of their ignorance. Yet, while the seigneurs as a class seem to have displayed no readiness to obey the provisions of the

<sup>1</sup> This was the seigniory of Mille Isles, originally granted to Sidrac Dugué. It was declared forfeited on March 1, 1714, and regranted to new owners four days later (*Titres des Seigneuries*, 59).

first arrêt of 1711, they showed no hesitation in demanding that the provisions of the second arrêt, which related to sub-grants, should be enforced to the letter. Farms, which had been given out within their seigniories, were declared forfeited to the seigneurs whenever the habitants left them uncultivated. During the period from 1711 to 1732 the intendant decreed the forfeiture of over two hundred small grants, chiefly in the case of men who had left their farms to become *courreurs de bois*. These forfeited farms reverted to the demesne of the seigneur and might be again granted out to new applicants.

## III

## A CENTURY OF FEUDALISM

## CATALOGNE'S REPORT ON CANADIAN SEIGNIORIES

BY this time (1712) the seigneurial system had been established in the colony for a full century, and it may be well to estimate the exact amount of progress that it had been able to make. It is at this date, moreover, that one encounters the first contemporary survey of the seigniories in the elaborate report of the French military engineer, Gédéon de Catalogne. Catalogne was a native of Béarn, born in 1662. He entered the engineer corps of the French army at an early age, and drifted to Canada about 1685. There he remained for many years, and rendered signal service in planning the fortifications. During the years 1710-12 he was requested by the intendant, Raudot, to make a survey of the seigniories, and this he did with intelligence and accuracy. Three maps, showing the seigneurial properties in the districts of Quebec, Montreal and Three Rivers, were apparently prepared; but the map of the Montreal district has never been found, and it was probably lost at sea on its way to France. The other two maps are preserved in the French archives. With the maps Catalogne wrote a rather lengthy *Mémoire*, giving various data in explanation of the sheets, and it is from this report that one may obtain the best contemporary account of the

agricultural situation in New France during the opening decade of the eighteenth century.

In his *Mémoire* the French engineer describes ninety-one seigniories, giving in each case the location, the name and occupation of the owner, the character of the soil, the number of settlers, and other particulars of the same sort. All this information, in a rather loose form, was doubtless on file at Quebec in the shape of the *aveux et dénombremens* which every seigneur was required to make from time to time. But these seigneurial returns were not always trustworthy, and, since they were made at different times, they do not afford a convenient source for estimating the seigneurial situation at any single stage in its history. Catalogne's report is a conspectus, and, as the work of a trained surveyor who appears to have personally visited nearly all the seigniories, it is of very high value.

The description begins with a statement concerning the seigniories in the district of Montreal. The Island of Montreal was held by the Seminary of St Sulpice, which had received it from the Company of One Hundred Associates in the early days of the colony. It was now well settled, and ranked as one of the most progressive communities in the country. The inhabitants of the island were grouped into six parishes, in charge of the priests of the seminary, and Catalogne notes that, while the lands were fertile, many of the people devoted their energies to trading with the Indians who came down the upper St Lawrence and the Ottawa. The smaller Isle Jésus, which lay near by, was held by the seminary at Quebec, but it had been exposed to Indian raids in earlier days and the priests had not made great progress in developing it. Neighbouring seigniories were those of Mille Isles and, on the north shore of the river, Lachenaie and L'Assomption. The first had originally been given to Sidrac Dugué, a captain in the Carignan regiment, but was in Catalogne's time held by Nicholas Dupré, a merchant of Montreal; the other two were originally owned by Le Gardeur de Repentigny, but Lachenaie had passed into the hands of his creditors. Both these seigniories had been ruthlessly devastated by the Iroquois and had not recovered

from this set-back. Further along the north shore were the important seigniories of St Sulpice, La Valterie and Berthier-en-Haut, with some less important properties intervening. St Sulpice was the patrimony of the seminary at Montreal ; La Valterie was now held by the widow of Margane de la Valterie, a former Carignan officer ; and Berthier-en-Haut, which was once owned by Alexandre Berthier, now had for its seigneur Bergères de Rigauville, who had married his widow. These seigniories had made progress, having a favourable soil and possessing their quota of settlers. On the south shore the seigniory of Chateauguay, once the property of the Le Moynes, was inhabited by a few families, but these subsisted by hunting and fishing, giving little attention to the lands. The tract of low land, which is now occupied by the Caughnawaga Indians, was even at this time used as a reservation for christianized redskins under the care of the Jesuits, who held the land in mortmain from the crown. Near by lay the Jesuit seigniories of La Prairie and St Lambert, both of which, according to Catalogne, had been 'brought under cultivation and yielded in abundance all sorts of grain.'

Somewhat further down the river, on the south shore, lay the fief of Longueuil, which had some time before been raised to the dignity of a barony. One of the colony's earliest settlers, Charles le Moyne, had received this generous tract in 1657 and had made his home upon it. Here he reared his ten stalwart and adventurous sons, nearly all of whom became prominent and picturesque figures in the later annals of New France. Upon his death the seigniory passed to his eldest son, Charles le Moyne the younger, who in 1700 became Baron de Longueuil. The baron gave himself zealously to the improvement of the lands, and, although much of the seigniory was rocky and not well suited for agriculture, it was nevertheless found possible to make of the tract one of the most thriving parts of the colony. The barony was provided with churches and grist-mills, and the baronial château, built of solid masonry and flanked by four towers, was referred to by Frontenac, in one of his dispatches, as reminding him of the castles of feudal France. Farther along

the shore lay the seigniories of Tremblay, Varennes, Boucher-ville, Isle Ste Thérèse, La Trinité, Grand-Maison and Verchères. The original owners of these tracts, René Gaultier de Varennes, Pierre Boucher, Sidrac Dugué, Le Moyne de Martigny and François Jarret de Verchères, were men who had rendered conspicuous service to the colony during its early days. The seigniory of Verchères loomed up prominently in the history of New France in 1692, when the seigneur's young daughter, Marie Madeleine de Verchères, successfully conducted a defence of the little settlement against a horde of marauding Iroquois. Coming towards the point where the Richelieu River joins the St Lawrence, one encountered the important seigniories of Contrecoeur, St Ours and Sorel, military seigniories first granted to officers of the Carignan regiment, in which detachment Antoine Pécody de Contrecoeur was an ensign, Pierre St Ours a captain, and Pierre de Sorel (or Saurel) also a captain. Up the Richelieu a short distance were other military seigniories, chief among them being that of Chambly, first granted to the Carignan captain, Pierre de Chambly, but later the property of the Hertels. These were the seigneurs whose task it was to guard the southern gateway. They were good soldiers but rather poor pioneers, and their seigneurial properties had not apparently undergone much improvement at the time Catalogne presented his report. Frequently the king found it necessary to aid some of them with grants of money from his privy purse, and one of them, St Ours, became a permanent royal pensioner in his later days. In the various border raids, however, some of them, particularly the Hertels, played a conspicuous part. New England hated them bitterly, and with good reason, for they streaked her borders with blood at every opportunity.

The next colonial division, known as the 'government of Three Rivers,' included a considerable number of seigniories, but very few of them were of much importance. Maskinonge and Rivière du Loup belonged to two merchants of Three Rivers who had probably obtained them as creditors of their former owners. The intervening tract belonged to the Ursulines of Three Rivers, but was still entirely uncleared.

Petit Yamachiche was held by the widow of Boucher de Grand Pré and was a productive seigniory, as was its neighbour, Grand Yamachiche, owned by Charles and Julien le Sueur. The next seigniory, granted in 1672 to Boucher de Boucherville, was as yet unnamed and had no inhabitants, despite its forty years of tenure. Farther eastward along the north shore came the fief of Tonnancour, the patrimony of the well-known Godefroys de Tonnancour, but not occupied by them, and with no such interesting history as had its holders. One lone settler occupied a part of it in Catalogne's time. Alongside of this tract, and approaching the present site of Three Rivers, was the Jesuit estate of Cap de la Magdelaine, given to the order by the Company of New France in 1651. It was two leagues by four in area, and flanked the St Maurice on its westward shore. The sandy soil of this seigniory made it none too well adapted for agriculture, but it was well worked, and its favourable location soon made it a property of considerable value. Its iron mines gave it some distinction among the seigniories. Still further eastward in the district of Three Rivers were the important seigneurial holdings of Champlain, Batiscan and Ste Anne de la Pérade; and across on the south shore were the seigniories of Yamaska, Nicolet, Godefroy and Bécancour, all of them representing different stages of agricultural progress.

In the Quebec district the seigneurial grants had been more numerous, and, as they had been the first to be allotted, there was somewhat more progress here than elsewhere, although in this respect the three districts did not differ very greatly. The fiefs of Grondines, Le Chevrotière and Eschambault fronted the St Lawrence on the northern shore between the eastern limits of the Three Rivers district and the barony of Portneuf. This baronial estate was held by the family of René Robineau de Bécancour, who had been raised to the rank of baron in 1681 for distinguished civil services in the colony. Between the barony and the environs of Quebec came the seigniories of Jacques-Cartier, Pointe-aux-Escureuls, Pointe-aux-Trembles, Demaure, Gaudarville and Bonhomme, held chiefly by royal officials or their heirs.

Then a short distance westward of the town lay the thriving seigniory of Sillery with its four parishes. This was a Jesuit property, having been granted to them in frankalmoigne for use as an Indian mission. The remnants of the Huron tribe had been brought down and settled upon this tract, after their lands in the Georgian Bay region had been ravaged by the Five Nations. Like the other Jesuit seigniories, Sillery was well looked after, and its inhabitants were prosperous. On the St Charles River was the neighbouring seigniory of Notre Dame des Anges, also held by the Jesuits. It was on this tract that the intendant Talon had established three villages, and placed in them the settlers who came out from France through his influence. The soil of this seigniory was very fertile, and this, with its proximity to the town, caused it to become well settled at an early date. The land comprised within the limits of the settlement at Quebec was not granted as a seigniory, but was divided into small lots, and given out from time to time to be held *en censive* directly from the crown, the small dues being paid by the holders to the royal greffier.

Just eastward of Quebec, the land lying between the St Charles and the Montmorency comprised the extensive seigniory of Beauport, which, as has been stated, was given in 1634 to Robert Giffard, who was one of the most energetic of the colony's earlier immigrants. Giffard worked hard to improve the property, brought out many settlers and made the seigniory one of the most valuable estates in the colony. As he had no sons, the fief went to his son-in-law, Juchereau de St Denis, in whose family it remained for many years. During the siege of Quebec in 1759 the Beauport shore was badly devastated by the guns of the English fleet, for it was here that Montcalm had thrown up his entrenchments. Fronting this seigniory lay the spacious Isle d'Orléans. This was one of the prizes among early land grants and was readily recognized as such. Hence the Company of One Hundred Associates had no sooner obtained possession of the colony than one of its officers, Jacques Castillon, sought and obtained it as his private patrimony. Castillon, like his colleagues in the directorate of the company, showed

no disposition to spend any money in developing colonial property, and for nearly thirty years the island remained almost untouched. In 1663 it reverted to the crown, and some years later was granted to Bishop Laval. Laval in turn traded it to François Berthelot for his seigniory of Isle Jésus in the Montreal district. Berthelot was zealous in developing the property, and the favourable situation of the island greatly assisted him in this. In 1676 the king rewarded him with rank in the noblesse, and the seigniory of Isle d'Orléans (or Isle de St Laurent, as it was then more commonly called) became the countship of St Laurent. In Catalogne's day it contained five thriving parishes, in which the habitants not only worked the land industriously, but carried on a good deal of domestic industry, particularly in weaving coarse cloth or druggets.

On the south shore of the St Lawrence, beginning at the western end of the Quebec district, was the spacious seigniory of Lotbinière, one of the largest in the colony, and the property of one of New France's foremost families, the Chartiers de Lotbinière, in whose hands it remained down to the middle of the nineteenth century. Then, passing by some smaller seigniories, Le Platon de la Sainte-Croix, Charest, Maranda and St Antoine, on which no noteworthy progress had been made, one reached the valuable fief of Lauzon, first given to Jean de Lauzon, a prominent royal official. Among the various seigniories this is perhaps the most interesting, for it passed, in the course of time, through several hands, and its history illustrates very clearly the various stages which marked the development of Canadian feudalism. It is, moreover, the seigniory concerning which we have information in the most elaborate detail, every phase of its local history having been set before us in recent years with comprehensive thoroughness.<sup>1</sup> A score or more other fiefs, large and small, had been granted in the Quebec district, and on these varying degrees of progress had been made.

But, although the total area of granted land amounted even at this time to several million arpents, the total cleared

<sup>1</sup> J. Edmond Roy, *Histoire de la Seigneurie de Lauzon* (6 vols., Lévis, 1897-1909).

area was remarkably small.<sup>1</sup> In the first decade of the eighteenth century this area did not exceed fifty thousand arpents. This means that for every individual in the colony there were only two or three arpents of land under cultivation, or, let us say, the equivalent of a twenty-acre farm for every family. Practically all this cleared land lay along the river front between Quebec and Montreal. Most of it was on the north shore, although, by the first quarter of the eighteenth century, the south shore was beginning to get its due share of attention. In the early days of the colony, when land was plentiful, the seigneurs were liberal in the acreage which they were willing to sub-grant, provided of course that the settlers were willing to take lands in that part of the seigniory which lay back from the river. Settlers, however, did not want such lands, and insisted that their farms should touch the river at some point. Hence arose the practice of granting lands in the shape of a thin parallelogram with a frontage of from one to five lineal arpents and a depth of from ten to eighty arpents. In superficial extent the grants were, therefore, liberal enough, for an ordinary farm contained two hundred square arpents or about one hundred and sixty English acres. But the habitant, when he got his farm, invariably began his clearing on that part of it which lay near the river, and it was here that he always built his house and stable. This was but natural, for the St Lawrence was the carotid artery of colonial communication, both in summer and winter. Moreover, when colonial road-making began, the first important highway was pushed along the north shore close to the river bank, and in time extended all the way from Quebec to Montreal ; and settlers, of course, wanted to be near their neighbours on this common highway. Thus it was that the whole population of the colony ranged itself along the river bank, the houses dotting the shore at short intervals, so that the whole colony, as Lord Durham later remarked, assumed the appearance of one long straggling village street.

<sup>1</sup> The *arpent de Paris*, which was the common unit of land measurement in French Canada, might be used as a unit of length or as a unit of area. The lineal arpent was about the equivalent of 192 English feet. The superficial arpent was about five-sixths of an English acre.

## DIVISION OF FARMS

The practice of granting farms in this shape was not in itself a serious obstacle to agricultural progress, but, when taken in conjunction with the legal rules relating to inheritance, it soon gave rise to important difficulties. According to the terms of the Custom of Paris, which was the legal code regulating succession to real property in New France, the ordinary farms, unlike the seigniories, were divided equally among all the children of a deceased owner. There was no recognition here of the principle of primogeniture, or *droit d'aïnesse*, as the French termed it. All the children, male and female, took share and share alike. Now an equal share did not mean a share of equal acreage, but a share of equal value, and this meant that, when a farm was divided, each heir wanted it so apportioned that a part at least of his tract would front on the river and roadway. The parallelograms thereby became thinner and thinner at each division, until farms became in most cases mere ribbons of land, with a frontage of only a hundred feet or so and a depth of a mile or more. In France much complaint was heard during the eighteenth century concerning the evils of *morcellement*: the peasant farms had become so small in area that they did not suffice to yield a family subsistence. In Canada the evil was not that of *morcellement* exactly, for in point of acreage the farms were not too small; but their peculiar shape, even when the area was sufficient, proved a considerable handicap to the normal operations of farming. It necessitated an undue amount of travelling back and forth from front to rear, with the result that habitants were apt to confine their attention to those parts of the land which lay near their houses, letting the rear lands go wild. It militated against progress in the way of crop rotation; and, in bringing the houses of the settlers so close together, it afforded undue facilities for squabbling with one another and for all sorts of distractions from work. Indeed, more than one royal official commented upon the fact that the habitants were too ready to neglect their work whenever the slightest incident in the neighbourhood gave them a pretext.

In the autumn of 1744 the governor and intendant, in a dispatch to the home authorities, drew attention to these various evils and suggested that the small harvests of the years 1743-44 were caused in part by them. In response to their complaint came a royal ordinance prohibiting the building of any house on any strip of land less than one-and-one-half lineal arpents in frontage (about 288 feet). The royal decree was enforced to some extent, and, under its provisions, the intendant went so far as to order the demolition of a few houses which had been built in disregard of the edict ; but, like many stringent decrees of its kind, its enforcement was in time quietly neglected.

## IV

## SEIGNEURIALISM AND THE CHURCH

## PARISH AND SEIGNIORY

**A**N interesting phase of Canadian seigneurialism is that which concerns the relations of the system to the church. The church was not very favourable to the fur trade, as it caused many young colonials to journey into the wilderness, where they were prone to forget their religious duties and to demoralize themselves and the aborigines by bartering brandy for furs. The church therefore joined its influence to that of the civil administration in an effort to keep the people on their lands, where they would be under the watchful eye of a parish priest or curé. The seigneurial and ecclesiastical systems, moreover, articulated well together, for the seigniory and the parish were, as a rule, one and the same area. This was, in part at least, due to the belated division of the colony into parishes. Some parishes were delimited at an early date, especially in the districts of Quebec and Montreal, but it was not until well into the eighteenth century that the work of division was undertaken on a general scale. In the earlier days of the colony the spiritual needs of the people were served by missionary priests sent out from the towns at intervals ; it was only

after a lapse of time that the policy of establishing resident priests in the parishes was finally adopted.

The parishes were in many cases conterminous with the seigniories, although in some cases a populous seigniory might comprise several parishes, and in others two or three small seigniories might be combined under the care of a single curé. Until parish churches were built the religious services were often held at the seigneur's house, and not infrequently it was there that the curé made his home. Very naturally the seigneur and the curé often became staunch allies, and had a powerful influence over the neighbourhood. Some seigneurs provided for the erection of seigneurial churches, giving building material freely from the ungranted domain, and often either subscribing money themselves or securing it for the parish from friends in France. Many of the smaller churches were built by the corvée of the habitants. Usually the people gave this labour without any urging, but on several occasions the curés secured decrees from the intendant ordering parishioners to give allotted days of corvée labour when called upon to do so.

#### THE SEIGNEUR'S PRIVILEGE

Whenever parish churches were erected by the aid of money sent from France, or by the contributions and labour of the parishioners, the right of appointing the curé rested with the bishop. When, however, the church had been erected by the seigneur at his own expense, the right of patronage and of presentation to the living was granted to him by a royal decree. This arrangement does not seem to have met with much approval from Bishop Laval, and he endeavoured to keep it from being put in force. In 1681 the intendant mentions that there were, outside of Quebec and Montreal, only seven stone parochial churches, and of these only two had been built by seigneurs. The rest were of rough-hewn timber and most of them were unconsecrated, for both Laval and Saint-Vallier consistently declined to permit the consecration of inferior structures. And, until a church was formally consecrated, it could only have a missionary priest and not a resident curé. The seigneurs, however, seem to

have insisted upon the right of local patronage. ‘Every one is puffed up with the greatest vanity,’ wrote Duchesneau to Seignelay in 1681, ‘and there is not one but pretends to be a patron, and wants a curé on his land ; yet all are heavily in debt and in the most extreme poverty.’ The whole question of seigneurial patronage was not definitely settled until 1699, when a royal ordinance made the matter clear. If the seigneur built a substantial church, he was, according to the terms of this edict, to have the right of patronage or of presentation of the priest. But if, in any seigniory, no stone church was erected, the bishop might provide for the construction of one, either by supplying or raising the funds, and in this case the seigneur was to have no right of advowson. As a matter of practice, however, it was usual in any case to consult with the seigneur before appointments were made, for amicable relations between him and the new parish curé were much to be desired, and it was thus that they could best be assured.

But there were other rights which the seigneurs claimed in the parish churches of their seigniories, and on questions relating to the extent of these rights they sometimes differed with the priests. As a matter of fact, these local disagreements were but reproductions in miniature of the broad contests between the civil and ecclesiastical authorities at Quebec. The immediate points at issue were not in themselves of any consequence, but they involved, or were thought by the disputants to involve, questions of principle. Hence the local squabbles, when they arose, were usually prolonged, always undignified, and sometimes led to unseemly episodes connected with the parish services. In 1709, therefore, the colonial authorities deemed it wise to issue an ordinance covering the whole matter in full detail. The decree provided that the seigneur should have a special pew in the parish church. Both the position and the size of this bench were specified with precision, so that there might be no room for dispute on these points. In all religious processions the seigneur was to have precedence over all other laymen of the parish, taking his place immediately behind the curé. At the sacraments and special fêtes he was to be given similar

rank, and on his decease he was to have the honour of interment beneath the church floor, the rules for determining the exact spot of burial being set forth in the decree.

Even where he had the right of nominating the parish priest, it was not expected that the seigneur would provide the small annual stipend which the curés of New France received. This was provided out of the general fund administered either by the bishop or the authorities of the religious orders, or it was secured in whole or in part from the *dîme* or tithe. The amount of the tithe, as originally established, was one-thirteenth of all the grain grown on the farms of the colony. By a decree of the Sovereign Council (October 10, 1663) this was made obligatory upon all the inhabitants of New France ; but there soon arose a feeling that the rate had been fixed too high, and it was finally agreed that it should be reduced one-half. It was accordingly placed at one-twenty-sixth of the produce, and a royal decree confirmed the new rate in 1679. At this figure the tithe has continued through all the vicissitudes of the colony down to the present day.

At the outset tithes were to be levied on every product of natural growth or of the work of man, but in practice they were collected on grain only. Later on under official encouragement the people took to the raising of flax, tobacco, and various roots. Some curés thereupon submitted that the tithes should be levied on the new products, but the habitants objected and carried their objections before the Superior Council, which in 1705 decided in their favour. From this decision the church officials appealed to the king, who, however, confirmed the action of his colonial representatives. The total tithes collected were, like the total seigneurial dues, comparatively small in amount until the colony became well settled. Down to the close of the French régime there were very few parishes in which the proceeds sufficed to pay the priest's salary, even although this was a mere pittance. In assessing and collecting their respective dues and tithes the seigneur and the curé frequently worked together, and the habitants made a practice of paying the one when they paid the other. In this way the people came

habitually to think of the seigneur and the priest as the local representatives of the civil and ecclesiastical powers.

### CHURCH SEIGNIORIES

But there was another and an even more important way in which the church lent its aid to the development of the seigneurial system. This was to be found in the systematic vigour with which it developed into valuable properties the various seigniories granted at different periods to the church and to its subsidiary orders. The ecclesiastical organizations all received their share of the granted lands ; some of them a very large share ; and they tried to justify the royal generosity. Now among these various agencies of the church, the one most powerful in North America was the great missionary organization, the Reverend Fathers of the Society or Company of Jesus, more commonly known as the Jesuit order. Jesuit priests came to the colony at an early date, and it was not long before the order obtained a firm foothold. In 1626 it obtained its first grant of lands, the seigniory of Notre Dame des Anges, near Quebec, and from time to time other tracts, generous in area, were given to it on the most favourable conditions and incidents of tenure. By the time French dominion in the New World drew to its close, the Jesuits had obtained, and held in the name of their order, wide estates, most of which were of good quality and favourable situation. This was about one-eighth of all the colony's granted lands, so that the position of the order, so far as the extent of its estates was concerned, was relatively much stronger in Canada than it was in France.

Next to the Jesuits, in the extent of their seigneurial holdings, came the bishop and seminary of Quebec, whose estates had been acquired mainly by the colony's first bishop, François de Laval-Montmorency. The Seminary of St Sulpice had been given lands less extensive ; but some of this land quickly attained value, as for example the lands in their seigniory of the Island of Montreal. The Ursulines of Quebec had obtained several seigniories, and so had the Ursulines of Three Rivers. Other orders and institutions

received their share, even although this was sometimes of very modest proportions. The General Hospital and the Hôtel-Dieu at Quebec, the General Hospital at Montreal, the Grey Sisters, and other like recipients of the royal bounty might be mentioned.<sup>1</sup>

The lands thus obtained were not suffered to lie uncleared and unimproved. Settlers were brought out and placed upon the estates, and, when once located, were given frequent assistance and encouragement. In 1667 Bishop Laval was able to call attention to the fact that his two seigniories of Beaupré and Isle d'Orléans contained well over one thousand settlers, or more than one-quarter of the whole colonial population. As seigneurs the religious orders were progressive and zealous. The priests seem to have had faith in the colony—which was more than could be said of all the lay seigneurs, and which could not be said at all of the Carignan officers who took lands from the king. This faith and optimism the priests often communicated to the people around them, and the results were seen in the neighbouring farms. The church in New France never lost, as at home, its grip on the confidence of those from whom it drew its chief strength—the rural classes. While it may seem that the crown was lavish to a fault in satisfying its claims to landed property, yet the church really gave to the colony far more than it took away; for, if ever there abode on this earth labourers worthy of their hire, these were the pioneer priests whose loyalty and devotion to the interests of France appear on every page of early Canadian history. The church owed much to the seigneurial system, but it made ample repayment.

<sup>1</sup> Exact figures concerning the landed territories of the Jesuits during the French régime may be found in the 'Acknowledgment and Enumeration of the Estates of the Jesuit Fathers in Canada, 1781-1788,' printed in R. G. Thwaites's *Jesuit Relations and Allied Documents* (73 vols., Cleveland, 1896-1901), lxxi. 65-95; and statistics concerning other church lands are given in W. Smith's *History of Canada* (2 vols., Quebec, 1815), vol. i. Appendix.

## V

## SOCIAL ASPECTS OF SEIGNEURIALISM

## FEUDAL CEREMONIES

CANADIAN feudalism was not merely a system of land tenure. It had its social aspect, its ceremonies, its symbols, its noblesse, and indeed much of the tinsel which marked its prototype in the Old World. Some of the feudal ceremonies were doubtless as impressive as the circumstances of a crude environment would allow. For example, there was the rendering of fealty and homage, a ceremony which took place whenever a new seigneur entered into possession of his fief, or whenever a change took place in the occupancy of the throne of France. The obeisance was usually made at the Château de St Louis to the governor-general as royal representative, but on occasions this officer made a viceregal journey to Three Rivers and Montreal, receiving the fealty and homage of seigneurs from the districts surrounding these towns. In rendering his service the seigneur appeared ‘without sword or spur, his head uncovered, and on bended knee.’ The wording of the oath was similar to that used by seigneurs in France when they swore their fealty and homage to the king. The habitants in their turn gave their oaths of fealty and homage to the seigneurs, but they often did this with scant ceremony, and sometimes were not asked to do it at all.

Then there was the picturesque May-pole ceremony which the habitants of the seigniory provided in the seigneur's honour on the opening day of May in each year. On this day all the people of the seigniory appeared before the seigneur's house, the younger ones among them decked in gala attire. A long pole was planted directly in front of the main door, and around this, after it had been gaudily decorated, took place various quaint dances.<sup>1</sup> When the festival was ended, the seigneur was expected to show his appreciation of the honour by providing refreshments for the gathering.

<sup>1</sup> An interesting description of the ceremony may be read in Philip-Aubert de Gaspé's *Les Anciens Canadiens* (Quebec, 1863), chap. xxvii.

Although the whole practice was one of long standing in France, many of the Canadian seigneurs definitely stipulated for its continuance in the title-deeds which they gave their habitants ; and while the people could scarcely have looked upon the refreshment as an imposition, there is on record at least one instance in which the inhabitants of a seigniory appealed to the intendant to be relieved from it, and to be permitted to render the same honorary service in front of the parish chapel instead.

The seigneur claimed, and frequently received, many other privileges of an honorary nature. The *droit de chasse*, or privilege of hunting with hound and falcon over the fields of his tenants, was one of these. In France no seigneurial right was more grossly abused or more thoroughly detested. In Canada it was assumed to exist, but there was rarely any occasion for its exercise. The *droit de pêche*, or right of the seigneur to one fish in every eleven caught by the habitants, was another of the same sort. It appears to have been often respected in seigniories fronting the river, but it amounted to little either as a burden on the people or a source of emolument to the seigneur. The *droit de seigneur*, or marital right, was a frequent basis of quip and jest among the people, but it never existed either in law or fact so far as Canada is concerned, nor, for that matter, did it ever exist in France.

The Canadian seigneur was, as a rule, a highly respected member of the community, and his dependants usually accorded him that deference which Frenchmen of the old régime gave cheerfully to their social superiors. But there were frequent exceptions, as Catalogne noted in his elaborate report. Some of the seigneurs were poor in worldly goods and toiled daily in the fields for a livelihood. This was not always compatible with the status which the seigneurial system expected seigneurs to maintain, and the frills of feudalism frequently disappeared under the pressure of poverty.

#### THE SEIGNEURS AND THE NOBLESSE

It is commonly taken for granted that when a man became a seigneur he obtained thereby rank in the noblesse. Of

France this is in general true ; but it was not so in the colony. The possession of a seigniory in New France did not make a *gentilhomme*. Rank in the noblesse might be had only through special letters patent from the crown. But many such patents were issued to Canadian seigneurs, usually as a mark of royal appreciation for military or civil services rendered. The rank of count, for example, was given to Jean Talon in 1675 for his zealous services in promoting colonial industry and agriculture. The intendant took the title of Comte d'Orsainville. And François Berthelot, seigneur of the Isle d'Orléans, became by royal patent in the following year Comte de Saint-Laurent. There were several barons among the seigneurs, notably René Robineau de Bécancour, who became Baron de Portneuf in 1681, and Charles le Moyne, who, as already stated, became Baron de Longueuil in 1700. The latter title, it is interesting to note, is still in existence, having continued in the Le Moyne family until 1755, when it passed to the grandson of the third baron, Charles William Grant, with whose descendants it still remains. In 1880 the title was officially recognized by Her Majesty Queen Victoria, after the law officer of the crown had reported in favour of this action. The barony of Longueuil comprised originally about one hundred and fifty square miles, being, therefore, one of the largest seigneurial properties in the colony.<sup>1</sup>

A single châtellenie appears among the lands held *en fief noble*. This was that of Coulonge, granted to Louis d'Ailleboust by the Company of One Hundred Associates in 1656. Mention is made in the colonial annals of three marquisates, although there is no official record relating to any one of them. Leneuf de la Vallières is referred to in a seigneurial title-deed of 1686 as Marquis de Sablé ; one Michel de Saint-Martin, whose name does not appear in any of the colonial records, seems to have had the title of Marquis de Miscou ; and Catalogne's report speaks of Robert Giffard as Marquis de Beauport.

The untitled noblesse of New France, however, were

<sup>1</sup> A detailed account of the seigniory and barony may be found in Jodoin and Vincent's *Histoire de Longueuil et de la Famille de Longueuil* (Montreal, 1889).

numerous. Many of the Frenchmen who came to the colony, particularly those who came as officers in the Carignan regiment, were already members of the noblesse at home, and they of course retained their rank and quality. The king, moreover, gave the rank of *gentilhomme* to many Canadian seigneurs recommended to him by the governor or intendant. Some were thus rewarded for their military services, others for serving in the Sovereign Council at Quebec, and others, again, for zeal in furthering the industrial or commercial interests of the colony. Just how many members there were in the colonial noblesse at any one time is somewhat difficult to say, for the rank passed not merely to the eldest son of a *gentilhomme* but to all his children. In France they constituted a privileged order, and were exempt from all ordinary tax burdens; but in Canada they had no such immunity. On the other hand, the colonial noblesse were free to engage openly in any branch of industry or trade—a privilege denied to their confrères at home. Most of them, in fact, had to work for a livelihood, and some of them found it very hard to make ends meet. The dispatches which the royal officials in the colony sent home each year to the colonial minister make frequent mention of the dire poverty in which some of the Canadian noblesse lived, and on more than one occasion the king was asked to grant them assistance from his privy purse. In one instance the intendant bluntly informed the minister that to increase the number of colonial *gentilhommes* was but to multiply beggars. The king, however, was generous to them, frequently sending them alms, giving them preference in appointment to office, and often securing places for their sons in the army or navy. In the military expeditions, which New France sent from time to time against the border settlements of the English colonies, the noblesse played a conspicuous rôle. Last in peace, they were first in war. They were venturesome and capable leaders, as New England had good reason to learn, and it was due in part at least to their skill and boldness that New France long maintained a military aggressiveness quite beyond that which her population and her resources warranted.

## VI

## JUDICIAL POWERS OF THE SEIGNEURS

## THE 'DROIT DE JUSTICE'

**I**N speaking of the honorary rights pertaining to the status of seigneur in France a good deal of emphasis has always been placed upon the *droit de justice*. This was the right of holding seigneurial courts and of dispensing justice therein. In their origin the seigneurs' judicial rights were probably the logical outcome of a weak royal authority, and it is not unlikely that their exercise yielded the seigneurs very little emolument in the earlier stages of feudalism. But in the course of time they came to be real agencies of seigneurial income. In France practically every seigneur possessed judicial powers. The rights were, one might almost say, inherent in the seigniory itself. But in Canada this was scarcely so. The seigneur in the colony did not have any judicial authority whatever, unless this had been specifically conferred upon him by the letters patent creating the seigniory. It is of course true that, whenever a seigniory was granted in New France, some judicial authority was ordinarily, indeed one might say almost invariably, bestowed; but there were perhaps ten or a dozen exceptions to this general rule.

When judicial power was conferred, it might be given in any of three grades, or all three degrees might be given together. These were known as the grades of high, middle and low jurisdiction (*haute, moyenne et basse justice*). As a general rule the seigneur who got any judicial authority obtained it in all three grades; but grants of middle and low jurisdiction, or of low jurisdiction alone, were not very uncommon. It is not to be understood, however, that the grade of judicial authority was in any way related to the size or importance of the seigniory. Small seignories sometimes carried with them extensive judicial powers, while the seigneurs of extensive tracts, on the other hand, were sometimes endowed with only a few minor rights. Occasionally a

seigniory was granted with rights of low jurisdiction ; then, some years later, the two higher grades would be added. Sometimes the judicial prerogative would appear in the original grant, but would be withdrawn or surrendered at a subsequent date. All such cases as the foregoing were, however, quite exceptional. The great majority of the Canadian seigniories were given 'with full rights of high, middle and low jurisdiction,' and their seigneurs held these rights permanently.

Between the three grades of seigneurial jurisdiction there were important differences. The right of high jurisdiction gave the seigneur authority to deal with all criminal cases, excepting only treason and offences directly against the royal person or property. It gave him authority to deal with all civil disputes without any limitations or exceptions. He might fine, imprison, award damages, confine offenders in the stocks, and even impose the capital penalty. One may hasten to add, however, that the seigneurial judgment was in no case final—there was always an appeal to the royal judges. As a matter of fact, moreover, these portentous seigneurial prerogatives existed, for the most part, only on paper. They were never exercised to any important extent. Minor offenders were now and then brought before their seigneurs and subjected to small fines or other penalties. Where the offence was serious the offender was invariably handed over to the royal courts, to be dealt with by these in the first instance. It is scarcely necessary to say that although at least a hundred Canadian seigneurs possessed the right to condemn an offender to death, not one of them ever ventured to exercise this prerogative.

The seigneur whose judicial power was restricted to the grade of middle jurisdiction might take cognizance of offences which were punishable by a fine not exceeding sixty sols, or might decide civil disputes in which the amount at issue did not exceed the same sum. The right of low jurisdiction was of the same scope as regarded civil causes, but the seigneur who possessed this right might not impose a fine amounting to more than ten sols. There was thus a very great difference between the highest grade of jurisdiction and the two

lower grades, these two latter differing but very slightly from each other.

Seigneurs having judicial authority had, of course, numerous other incidental privileges, in addition to those of sitting in judgment and deciding causes. They shared in escheats and forfeitures ; they had certain rights of wardship and curatorship ; they were custodians of all estrays ; they were arbiters in matters concerning land boundaries and disputed measurements ; they were owners of treasure-trove, flotsam and jetsam, and all *bona vacantia* ; and they might, under various limitations, make public proclamations. The seigneurs were not, however, the local agents of the central authorities in either judicial or administrative matters. These local agents were the *capitaines de la milice*, a title which, like the contemporary title of justice of the peace in England, is rather misleading. There was a militia captain in every parish of New France, and the officer held his appointment from the royal authorities at Quebec. Sometimes the seigneur was given the appointment, but more commonly it was some one else. As his title indicated, it was the duty of the militia captain to have a muster-roll of all the adult males in the parish, and from time to time to keep the intendant informed concerning the capabilities of his parish in the way of military service. Whenever practicable he was supposed to form them into a company and give them some idea of military drill. But his main functions were not of a military nature. He was rather the administrative agent of the intendant. When the intendant wanted information, it was to the *capitaine de la milice* that he sent for it ; and when he had orders to give, it was to the same officer that he sent them for promulgation. Decrees issued at Quebec were often sent to the captains, who posted them at the door of the parish church. Likewise, in all matters affecting road-making, the care of bridges, the gathering of supplies for military expeditions, and a dozen other matters, the Quebec authorities looked to these, their direct subordinates, and not to the seigneurs. Hence it was that the local captains, through their close relation with the royal

representatives, seem to have acquired much of the local prestige which the seigneurs would fain have annexed to themselves.

The exact extent to which the Canadian seigneurs made use of their judicial powers is one of the most difficult things to determine. From contemporary references there is evidence that they settled informally a great many local dissensions ; but the parish curé seems to have done quite as much in the same way, without professing to have any judicial authority. From the records of the royal courts and from the proceedings of the Superior Council we know that cases of some importance were at times decided in the first instance by seigneurs, for appeals from their decisions came to those higher courts. On the other hand, the records of these higher courts prove quite as conclusively that most cases came to them directly, and not by way of appeal. It is altogether probable that most of the seigneurs refrained from any exercise of their judicial prerogatives, and this for the reason that in Canada seigneurial jurisdiction could rarely be made to yield a profit. In France the judicial rights of seigneurs were a real source of income and often yielded, according to Tocqueville, as much as one-tenth of a seigniory's gross revenue. Hence the French seigneur guarded his judicial prerogatives zealously, and staunchly opposed any encroachments on the part of the royal tribunals. In the colony, on the other hand, if a seigneur chose to sit in judgment he imposed a burden upon his own time and patience, and got little or no emolument in return. In a few of the more populous seigniories regular seigneurial judges were appointed, and in some cases these held regular weekly sessions. But in most instances the seigneur, when he availed himself of his judicial privileges, dealt with the cases himself. This he did in a somewhat rough-and-ready fashion, calling the disputants to the living-room of his house, and settling things in accordance with what he deemed fair between man and man rather than according to the letter of any law. The seigneurial courts, like the other courts of the colony, were expected to administer the provisions of the Custom of Paris ; but the average Canadian seigneur

might have been as fairly asked to administer the laws of the Medes and Persians, for he doubtless knew as much of the one as of the other.

#### FRENCH-CANADIAN LITIGIOUSNESS

The administration of justice in French Canada did not always run along with entire smoothness, yet it was not unsatisfactory on the whole. From time to time the royal authorities at Quebec found it advisable to issue decrees correcting various abuses which came to their attention. Thus, in 1664, an ordinance prohibited seigneurial judges from taking any fees from litigants, and in 1678 one finds a decree fixing definitely the scale of charges which court officers might make for any form of official service. Again, in 1705, there is an ordinance issued by the intendant, Raudot, which ordered the seigneurial judges, in the seigniories of Champlain and Batiscan, to hold court at least once a week in each of these two seigniories, and forbade the practice of charging extra fees for special sessions. But the number of complaints does not appear to have been large, and the general administration of justice seems to have been much more satisfactory in the colony than it was in France during the same period. On this particular point we have the testimony of that somewhat facetious contemporary chronicler, the Baron de la Hontan, who spent some time in Canada and whose observations are always interesting if not always trustworthy. ‘I will not say,’ he writes, ‘that the Goddess of Justice is more chaste and impartial here than in France ; but at any rate, if she is sold, she is sold more cheaply. In Canada we do not pass through the clutches of advocates, the talons of attorneys, and the claws of clerks. From all these vermin Canada is as yet free. So everybody pleads his own cause. Our Themis is prompt, and she does not bristle with fees, costs and charges.’ This is, of course, not very extravagant praise, but it corroborates ideas concerning the general informality of colonial justice which one gleans from other sources.

If the seigneurs did not, as a rule, give much of their time to judicial duties, it was certainly not because the

habitants failed to provide them with causes. The French Canadian of the old régime displayed a rare poise and calm in all that pertained to the public well-being ; but, when it came to things that concerned his own private property or rights, he at once showed combative traits of an uncommon order. Litigation seems to have been, from all accounts, his favourite pastime. When a habitant saved a small competence, he not infrequently secured a piece of land whose title and boundaries furnished enough pretext for litigation, and then settled down to enjoy for the rest of his days the rôle of a leisurely litigant. Pretexts for lawsuits there were, indeed, in abundance. Land titles were not registered in any official depository, but copies were left with the notaries who drew the deeds. These notaries were frequently men of meagre education : their conveyancing was crude and their records faulty. Raudot, in one of his dispatches, expressed the opinion that, if the rules of law were strictly applied, there was scarcely a land title in the colony which could not be voided. Then the boundaries of farms were in most cases inaccurately fixed. Settlers often took up lands, and received, some years later, deeds confirming them in the possession of 'the lands now held by them,' but without any indication of exact boundaries. Even where lands were definitely bounded, the work of the surveyors was careless and inaccurate. The boundaries often overlapped, and not infrequently it appeared that the same land had been granted to two different habitants. Furthermore, the seigneurial dues were often lacking in definiteness, and the somewhat uncertain nature of the mill-banality and corvée obligations gave some room for friction between the seigneur and his dependants. More particularly conducive to the development of litigiousness were the long winters, during which the people found little to do but mingle with each other, and usually fell to squabbling from the mere lack of more profitable employment. Various officials deplored this general propensity, and one of them suggested to the minister that, if means were not taken to curb it, there would soon be in the colony more lawsuits than persons.

It is true that there lurked, in the system of private

seigneurial jurisdiction, possibilities that might develop dangerously, when seignories should become sufficiently populous to make the exercise of such jurisdiction a source of profit. This point, however, had not been reached when the colony passed into new and strange hands. The English authorities, upon assuming control of Canada's judicial system, promptly realized that private jurisdiction was an anomaly, and it was quietly eliminated. As only a very few seigneurs were affected by the change, there was no serious protest against this action, nor does it appear that any claim for compensation was put forward. Seigneurial jurisdiction had not been able to pay its own way, and it consequently had no friends. Indeed, the more one studies the great institution of feudalism in all its ramifications, the more is one convinced that the pocket-nerve had a dominant influence in controlling the whole organism.

## VII

## FRENCH AND CANADIAN SEIGNEURIALISM

## THE POWERS OF THE INTENDANT

THOSE who are, even in a general way, familiar with the workings of later-day feudalism in France, will have no difficulty in realizing that Canadian seigneurialism, as described in the foregoing pages, differed greatly from its European progenitor. In the first place, the relations of the classes in New France were not darkened by the clouds of privilege. There were in Canada no privileged orders. No great gap separated the seigneur and the censitaire. No social class became stereotyped. Colonial society was volatile: one might rise readily in the social scale through his own merit, or might fall, with equal readiness, through his own lack of it. Hence it was that seigneurs often lost their seigniories, while habitants often gained seigneurial rank. There were, indeed, many Canadian seigneurs who had several generations of noblesse behind them; but there were many others who came directly from the third estate. Such, for example, were Robert Giffard,

the Percheron apothecary ; Charles le Moigne, the son of a Dieppe innkeeper ; Jacques le Ber, the Lachine fur-trader ; Jean Bourdon, the master-gunner at Quebec ; Noël Langlois, the carpenter, and Nicholas Dupré, the Montreal shop-keeper—all of whom became seigneurs of New France.

The hand of the central government was, moreover, laid more heavily upon the seigneur in the colony than it was at home. The seigneurial system in France had centuries of tradition behind it, so that the royal authorities found it hard to interfere with its various features, odious though many of them were. In Canada the system had no vested rights to existence in any set form—it was established solely in order that it might serve as an agent in upbuilding the colony, and where it appeared that any of its features interfered with the royal policy in this direction, such features were forthwith trimmed or even eliminated. Thus it was that, when the seigneurs adopted the practice of refusing to grant farms except at higher than customary terms (which by the Custom of Paris they had a perfect right to do), the first Arrêt of Marly promptly interdicted the practice, and at one stroke changed the seigneur from an owner to a mere trustee. Likewise the various edicts relating to the banal-mills, the corvée obligation, and the clearing of lands upon pain of forfeiture, all go to prove that the seigneurial tenure was viewed by the French government as resting, so far as the colony was concerned, upon a rather utilitarian basis. One would scarcely venture to urge that it rested upon any such foundation in Old France.

In its policy of closely supervising the colonial system the home government found an efficient agent in the intendant. It is unfortunate that the picturesque depravity of the last official who held this office in Canada has led many people to look upon all the intendants of the old régime as rare rascals, who rivalled the publicans of the Roman provinces in their greed and licentiousness. Nothing could be farther from the truth. Nearly all of the eleven intendants who came to Canada were capable, honest, energetic officials. They gave to the colony the best that was in them, and took very little by way of reward. Such were men like Talon, Meulles, Champigny,

Raudot, Bégon and Hocquart, whose advice to the home government, on many matters relating to the seigneurial system, shows them to have stood consistently for the welfare of the whole colony as against the interests of the seigneurs as a class.<sup>1</sup>

The intendants had direct jurisdiction over the relations which existed between the seigneurs and their dependants, and they exercised this in no perfunctory way. Indeed, if there is any one thing that impresses the student of early Canadian history, it is the prodigious activity of these officials. We have the word of Tocqueville that in these days the French monarchy took the place of Providence in a paternal care for the people. And in this policy of omnipresent—and sometimes inscrutable—paternalism, the royal intendant was, as it were, the custodian of his master's voice. He spoke for the king, and he spoke frequently, as the volumes of intendants' ordinances attest. Nothing seems to have been too insignificant to draw his pen to paper. When a habitant complained that the seigneurial mill needed new weights for its scales, the intendant forthwith issued a three-page decree, covering the subject of weights and measures, and posted this off to every parish of the colony to be spread on the church door. When a seigneur, in turn, protested that his dependants paid their *rentes* in capons that were aged and inedible, the good official ordered that only 'fat fowl of the brood of the month of May' might be tendered in payment. And so it went. The intendant oiled the machine wherever it showed signs of friction, and it was largely due to his somewhat praetorian jurisdiction that the seigneurial system worked its way with relative smoothness. When the English came they made the error of continuing seigneurialism without retaining the intendancy, and it is to this that they owed most of their land-tenure troubles.

#### THE HABITANT AND THE SEIGNEUR

Perhaps the best evidence of the difference between the seigneurial systems of France and Canada may be found in

<sup>1</sup> This point is further discussed in an article on 'The Office of Intendant in New France,' published by the writer in the *American Historical Review*, October 1906 (vol. xi. no. i. pp. 15-38).

the friendliness with which the Canadian habitants regarded the arrangements under which they held their lands. That they ever, throughout the old régime, regarded their relation to the seigneur as in any sense humiliating or oppressive does not appear from any trustworthy source. Certain seigneurial pretensions the habitants from time to time opposed, usually with success. But with the general system, as a system, they do not appear to have had the slightest quarrel. There is, in fact, no error less excusable than that which regards the Canadian of the eighteenth century as an exact prototype of the French peasant whose oppressions filled the *cahiers* of 1789. On the contrary, we have the testimony of travellers that the people of New France 'breathed from their birth the air of liberty,' that they were 'vigorous, enterprising and indefatigable,' and that 'even the ordinary habitants lived in greater ease and comfort than did thousands of the gentlemen of France.' Were this testimony drawn wholly from the chronicles of Frenchmen like Charlevoix, La Hontan and Bougainville, one might be inclined to make due discount from its optimism; but in all essential respects the situation, as they described it, finds corroboration in the writings of the famous Scandinavian naturalist, Peter Kalm, who spent some months in the colony during the year 1749, after his visit among the English settlements to the south.

Kalm found that the methods and implements of agriculture were crude, yet the habitants made the land yield good harvests, because of its unusual fertility. Wheat was grown almost everywhere, but peas, oats, rye and barley were also raised, and in some parts of the colony the people had adopted from the Indians the practice of growing maize. The fields were ploughed but once a year, and, even at that, the ploughing was poorly done. Land was ploughed in ridges, with much waste between the furrows. Fertilization was entirely neglected, but it was customary to burn the stubble before the fields went under the plough. Rotation of crops was practically unknown, but some land was usually left to lie fallow from time to time, which meant that it ran wild with weeds. Kalm found no draining in any farms which he

visited, although, as he added, it was much needed in some places. In addition to grain, the people grew various kinds of roots and vegetables, particularly cabbages, pumpkins and melons, and in some parts of the colony attention was given, under the stimulus of official encouragement, to the culture of flax and hemp. In no case, however, was cultivation carried on with much science or care, a feature which led Catalogne to the opinion that, if the lands of France were handled like those of the colony, three-fourths of the people would starve. The shore-meadows along the St Lawrence were of great value to the habitants, for they furnished fodder in abundance. Hence the raising of cattle and horses became an important branch of French-Canadian husbandry. It would have been even more extensive if the habitants had not lacked barn and stable accommodation such as was necessary for keeping stock through the long winters. The habitant was fond of horses ; even the poorest kept two or three, which did nothing but 'eat their heads off' during seven months of the year. Catalogne commented upon this in his report, and suggested that the people should be urged to keep horned cattle instead.

#### DOMESTIC AND SOCIAL CONDITIONS

The houses of the habitants were sometimes built of stone, but more often of rough-hewn timber. Long, rambling structures they were, as a rule, little more than a dozen feet in height, with two or three spacious rooms on the ground floor below and low attic bedrooms above. The roof projected well over the walls in bungalow fashion, and in some parts of the colony small dormer windows thrust themselves out from the gables. The houses were built always close to the highway, with no lawn or garden in front of them, and no trees to shade them. In summer they were bare and uninviting ; in winter they stood, in all their bleakness, full square to the blasts that drove across the river. The chief feature of every home was its living-room, which might have been called parlour or dining-room or kitchen, for it was all these combined. At one end of this room, which took up half the house or more, stood the great fireplace

with its cooking utensils. It was the pivotal point in family life. The furniture of the living-room had sometimes been brought from France—more often it was of rude colonial manufacture. It was, if one may judge from the pieces preserved in the Château de Ramezay, neither very artistic nor very comfortable. Off the living-room were one or two smaller rooms, which might be used as bedrooms or guest-chambers. In the attic were two or three still smaller bedrooms, into which the habitant's numerous children were crowded. Then, as now, large families were the rule, and there were probably more homes in New France with eight or ten children than there were with less.

Behind the house stood a rougher structure which served as barn, stable and poultry shed. Hay and straw were rarely put under cover, but were stacked in the fields. Roots and vegetables were frequently cached in the ground below the level of freezing. The more progressive habitants had their own bake-ovens, made of boulders and clay, and set up some distance behind the barn. Often a single oven served a number of families. All the buildings were coated freely with lime whitewash, applied with religious regularity every spring, and the long row of white cottages, when viewed from the river, presented a striking contrast to the background of green hills beyond.

From all accounts the people were well fed and comfortably clothed. Warm cloth of drugget, *étoffe* as it was called, was woven in the colony, and furs could be had cheaply. Even the children had winter garments of beaver. Knitted woollen caps of gay colours were the popular head-covering for both old and young. Most luxuries had to be imported from France, and this rendered them costly and put them beyond the reach of the masses. But the necessaries were cheap and plentiful. The daily fare of the habitants was coarse enough, but nourishing. Peas were a staple—boiled to form a thick soup ; whole families were reared upon it. Tea was brought to the colony, but it was expensive and not much used, except in the towns. Whole shiploads of brandy also came, but most of these cargoes were used in the Indian trade. However, a good deal of the *eau-de-vie* which came to Quebec never found

its way to the wilderness. The settlers themselves used much of it—and often to excess, as the priests complained. Many of the habitants grew their own tobacco and cured it for use. It was smoked everywhere; and even its malodorous strength did not always deter the women of New France from using it.

Amusements of all sorts were not lacking, for the Norman habitant was gregarious and liked to be with his fellows, if only to quarrel with them. Families went from house to house throughout the winter days and evenings, exchanging hospitalities so light-heartedly that the austere emissaries of the church regarded with much misgiving what seemed to them an evidence of undue worldliness. The intendant Hocquart, in an interesting dispatch sent by him to the home government, commented upon the pleasure-loving propensities of the people, their ability to make light of difficulties, their complacency and their somewhat inordinate self-esteem. Unlike the peasantry at home, they were not rough or boorish in demeanour; they plumed themselves upon their courage; they were fond of honour and attentions; and they were quick to resent any affront.

Most of the habitants came from sturdy Norman stock. It is true, of course, that the colony received many immigrants from other French provinces, but in the rural population the Norman strain was always dominant. That explains, perhaps, why it was so hard to keep the habitant at work in his fields. The Norman was a rover by inheritance. His Norse ancestors gave him a trait that would not down, even at the joint behest of church and state. He was, in consequence, always eager for some sort of adventure. A trip to the wilderness in quest of furs, a military foray to the borders of New England, or anything of similar nature, was usually enough to draw him from his regular avocation. This was in some ways a laudable trait, but it did not conduce to the progress of husbandry. Indeed, if one calls to mind the varied obstacles which lay in the path of agricultural development during the old dominion—the rigorous severity of the Canadian climate, the distractions of almost unceasing conflict with the English or with the Indians, the well-

intentioned but ill-advised paternalism of the civil authorities, and the cumulative demands made upon the yeoman of New France by the state and church alike—when all these things are borne in mind, it is not surprising that agriculture made slow progress. Yet over two hundred thousand arpents of land were cleared and under cultivation when the colony passed out of French hands. With peace within her borders, New France could have readily supported the population of over sixty thousand which she had in 1759.

## VIII

SEIGNEURIALISM UNDER THE BRITISH  
DIFFICULTIES OF THE NEW RÉGIME

WHEN the British authorities assumed control of Canada, they pledged themselves to respect all vested rights of property acquired by laymen under the old dispensation.<sup>1</sup> This meant that seigneurs would be maintained in the possession of whatever rights had accrued to them—in other words, it pledged the continuance of seigneurialism. Now there are many who regard the giving of this pledge as a grave error in British policy, and they have, in the main, the testimony of subsequent events in support of their view. The seigneurial system had, by 1760, served about all the useful purpose that it might ever hope to serve. In the hands of new and unsympathetic administrators it was altogether likely to develop abuses, and prudence would have dictated its abolition at once.

<sup>1</sup> ‘The lords of manors, the military and civil officers, the Canadians as well in the towns as in the country, the French settled, or trading, in the whole extent of the colony of Canada, and all other persons whatsoever, shall preserve the entire peaceable property and possession of the goods, noble and ignoble, moveable and immoveable, merchandises, furs and other effects, even their ships; they shall not be touched, nor the least damage done to them, on any pretence whatever.’—*Articles of Capitulation of Montreal* (September 8, 1760), par. 37. The official French text of these Articles is in the Public Record Office, London, *America and the West Indies*, vol. 93. An exact reprint may be found in Shortt and Doughty’s *Documents relating to the Constitutional History of Canada* (Ottawa, 1907), pp. 8 ff.

But it was not abolished, and, for the time being, the new suzerains administered it as best they could, seeking meanwhile some authoritative information concerning the law and practice of the system.

While this was being done the Treaty of Paris was signed in 1763. France took leave of the Western World, giving up the fruits of two centuries of effort in the field of colonization. It was stipulated that those of her subjects who wished to leave the colony should be allowed to dispose of their property. Many seigneurs did so. To venture an estimate concerning the actual number is not easy, and it would be, moreover, to raise a much controverted point. But those who went were those who could best afford to go, which means that they were those the colony could least afford to spare. To take their places Englishmen came ; they bought up seignories at sacrifice prices, and they proceeded forthwith to treat their newly acquired estates as investments and the habitants as their tenants. All this gave the system a rude shock. The new seigneurs were aliens and heretics ; between them and their dependants there could be no personal bond, effective either in peace or in war.

It was one thing for the English to pledge a continuance of the seigneurial system, but it was quite another thing to keep seigneurial relations working smoothly. Seigneurialism, in other words, was not a stereotyped institution which might be left just as it had been found. It was, as has been said at the outset of this chapter, a highly complicated mechanism, which needed constant care from the authorities above. The administration of the old régime, with its royal intendants, was adapted to afford this unremitting supervision ; the administration of the new suzerain was not. The seigneurial system, for its proper working, required a government of men ; the new régime was a government of laws. As was to be expected, therefore, the British authorities, although acting with the best of intentions, promptly misunderstood the system. This was particularly true of the judges, before whom came, under the new dispensation, all cases relating to seigneurial rights and obligations. These judges were asked to decide such cases in accordance with the rules of law

which had been in force in the colony prior to 1759. But where might such rules be found? In the Custom of Paris and in the multitude of arrêts, edicts, ordinances, decrees, regulations and decisions issued during two centuries of French rule. And these were to be found in the accumulation of more than one hundred ponderous manuscript tomes in the official archives at Quebec. They were in manuscript, unarranged, unindexed, and in a handwriting often hard to decipher. Hence the judges demurred. They found an easier way to discover the old law and practice relating to any disputed point. This was by calling before them some notary or other person who could qualify as an expert in the old jurisprudence. This notary testified to what had been customary, and judgment was given accordingly.

Now this practice of seeking the custom rather than the law, because it was so much more easy to find, seems to have led the English judges into a curious and interesting error, namely, to a belief that tenure *en censive* was merely the English copyhold under another name. A copyholder in England was one who held lands subject to such obligations as were imposed by the customs of the manor; and what was a censitaire in Canada but one who held lands subject to such obligations as were customary in the seigniory? Had not the French king, indeed, in the famous arrêt of 1711, made express provision that seigneurs must give lands at the rates customary in the neighbourhood, and thereby relieved censitaires from the obligation to pay more? Why not then proceed, as in cases relating to copyhold, to discover the custom and give it effect? Unhappily, however, there was one fundamental difference between the censitaire and the copyholder. The censitaire had a written title-deed which stated explicitly the dues and services that he was bound to render—the copyholder had nothing of the sort. He held only by virtue of a bare entry on the manorial court-roll, and this did not state his exact obligations. The customs of a seigniory did not prevail as against a written contract under the French dispensation; the arrêt of 1711 did not prevent the seigneur and habitant from making any bargain they chose, but merely protected the latter from being driven to

onerous terms. The new English courts, however, measured seigneurial claims in the light of notarial testimony as to custom, and this gave the seigneurs a great advantage. Furthermore, even when it could be shown that a seigneurial exaction was opposed to public policy, the new courts had no authority to forbid it, providing the seigneur had custom on his side. In the old days the intendant set such matters right; but there was now nothing corresponding to his discretionary jurisdiction. And when one adds to all this the fact that litigation, after 1760, became much more expensive than it had been before, it can be seen that the situation of the habitants had been considerably modified so far as their relations with the seigneurs were concerned.

During the first twenty years following the Conquest the home and colonial authorities gave serious attention to the improvement of Canadian administration, and particularly to the betterment of the legal system. The Quebec Act of 1774, for example, made some important administrative reforms, and definitely anchored in Canada the whole of the old civil law, much to the satisfaction of the French element. This concession had, no doubt, its influence in holding the colony to at least a passive loyalty during the American Revolution. But, in the years following the Revolution, there came an influx of loyalists from the seaboard states on the south. Many of these sought and obtained land-grants in free and common socage, the system of tenure with which they were familiar. This greatly increased the amount of land held under the so-termed 'free tenure,' and it had some influence in spreading the impression, even among the French Canadians, that tenure in freehold was much more advantageous than tenure *en censive*. In 1790 the solicitor-general of the colony was asked to look into the whole question of the relative merits of the two tenures, and to report his views as to the possibility of allowing conversions from the one to the other, wherever landholders so desired. This he did in an elaborate and interesting state-paper, but his work resulted in no immediate official action.

## TRANSITION STAGES

It was at this juncture that the question took on some new complications. In 1791 the Constitutional Act was passed, and contained as one of its clauses the important provision that the colony should be divided into two provinces, to be called Upper and Lower Canada respectively. As there were almost no holdings *en censive* in the new province of Upper Canada, the whole question of converting the seigneurial tenures became, at this point, one which concerned Lower Canada (or Quebec) alone. Moreover, the act of 1791 made certain provisions for the establishment of clergy reserves, and these provisions were such as to place an important obstacle in the way of those who desired to have their titles changed to freehold. There developed, moreover, some strong opposition to the project, on the ground that it would, if adopted, give the seigneurs full property rights over their ungranted demesnes, whereas under the seigneurial system, as modified by the Arrêt of Marly, they had no such entire right, but held their demesnes merely as trustees for the crown.

Matters, therefore, dragged on without any important action, until the first quarter of the nineteenth century was drawing to a close. Then, in 1822, the imperial parliament passed the Canada Trade Act, which provided that seigneurs might, if they chose, surrender their seigniories to the crown, and receive back the whole area (without clergy reserve deductions), to be held thenceforth in freehold, subject, however, to certain payments into the public treasury as a commutation of the old quint, or mutation, fine. In 1825 a further enactment, the Canada Trade and Tenures Act, further provided that, when a seigneur had commuted his tenure under the act of 1822, he should be bound to afford a similar opportunity to his dependants. But as these acts were permissive, and not mandatory, they effected very little. The fact was that the seigneurs wanted their lands converted into freehold property, but did not want to give the habitants any like advantage. The habitants, on the other hand, were anxious to commute their own tenures, but

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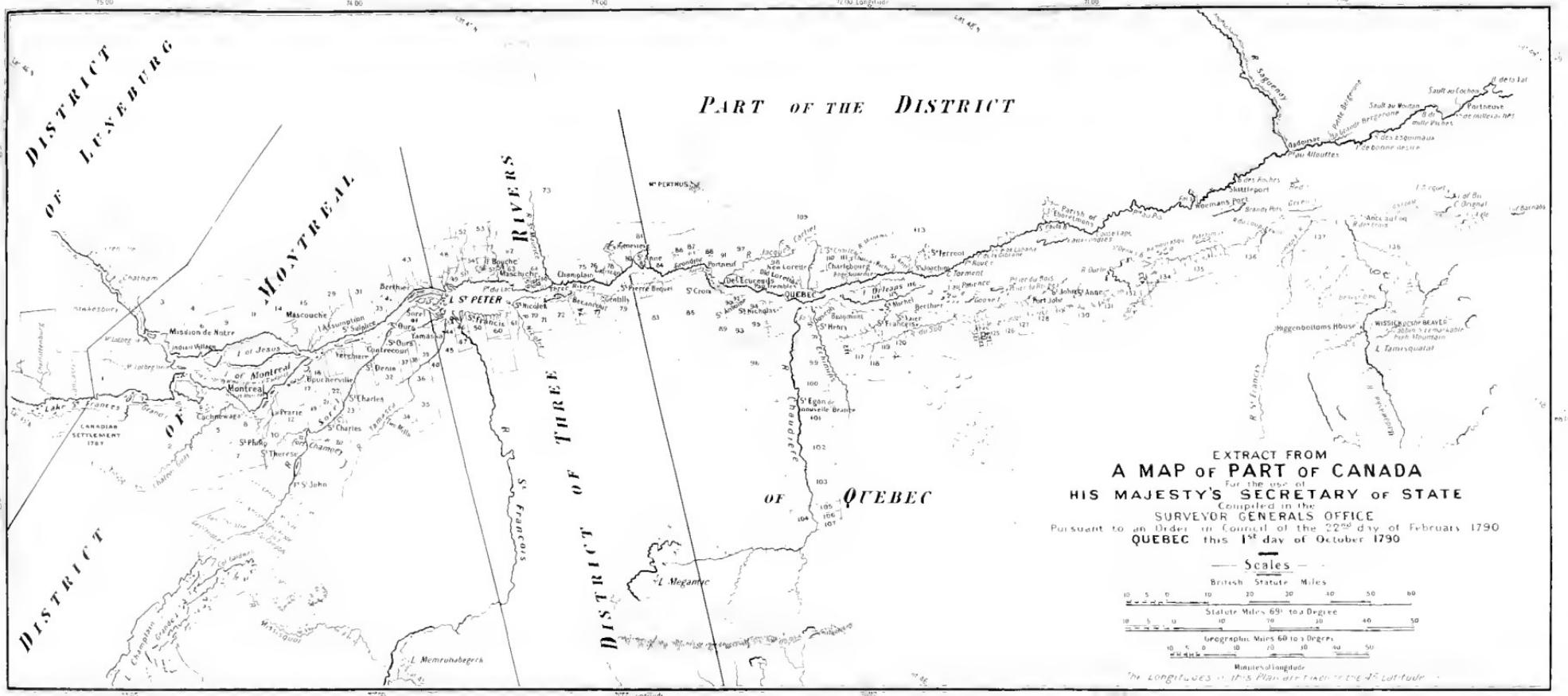
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## PART OF THE DISTRICT

EXTRACT FROM  
A MAP of PART OF CANADA  
*For the use of*  
MAJESTY'S SECRETARY OF STATE  
*Compiled in the*  
SURVEYOR GENERAL'S OFFICE  
to an Order in Council of the 22<sup>nd</sup> day of February 1790  
QUEBEC this 1<sup>st</sup> day of October 1790

QUEBEC this 1<sup>st</sup> day of October 1790.

YOUNG, WALTER J., DAY OF DECEMBER, 1958



## REFFERENCES TO THE SEIGNORIES.

- Siegal of Villemeur and Longueuil  
 the property of M de L'Orange  
 Siegal of Baudouin the property  
 of M L'Orange  
 Siegal of D'Agostino M'Feret  
 M'Longueuil  
 Siegal or Lake of Two Mountains  
 M'Longueuil  
 Siegal of Chateau Guas the property  
 of Madame Tempore  
 M'Dunomas Siegal  
 Siegal of Salzedo de la M'Poule  
 Siegal of Chateau gallois de la Veyenne  
 Madame Bony's property  
 Siegal of La Prairie the property  
 of Mme Letarte  
 Barony of Longueuil the property  
 M de Verrieres Siegal  
 Siegal of La Chevres the property  
 General Christ  
 Siegal of Le Ascanion the  
 property of Mme St'Olars  
 Fief of Vets  
 Siegal of Boucherville  
 Siegal of Karrines  
 M'Bruneau's fief  
 Siegal of Rourville  
 M'Decharmais  
 Mons' Courvoier  
 M'Jennings Siegal  
 Fief St' Michel  
 La Baronne  
 Mons' St' Blaurs fief  
 Siegal of Vercierie  
 Fief Belle Ile  
 Siegal of St' Sulpice the property  
 of the Seminary of Montreal  
 Siegal of Contrecoeur  
 Siegal of La Tertre  
 St' Urs's Siegal  
 La Mauricie Siegal  
 Fief de Bon Chemin the property  
 of the Seminary of Montreal  
 Fief de St' Norbert autrefois de  
 Madeline de Renze  
 Fief St' Omerie M'Jackson  
 Fief de Bon Chemin M'Jackson  
 Fief Bourg Marce D'Orto  
 Fief de Bon Secours D'Orto  
 Fief Bourg Marce D'Orto  
 41 Siegal of Sorel the King's property  
 42 Siegal of D'Autrey the property  
 of Mons' Leneve  
 43 Siegal of Berther the property  
 of M'Courtber  
 44 Siegal of Thomas M'hancour  
 45 M'Draper's fief  
 46 M'Courts Siegal  
 47 M'Morell's fief  
 48 Siegal of Canserey belonging  
 to the Heirs of St' Chesnes  
 49 Siegal of Waskomone the  
 property of M'Branoux  
 50 M'Deorges fief  
 51 Fief St'John  
 52 Fief St'John belonging to the  
 Ursulines at three Rivers  
 53 Fef Amherstburg belonging to M'Montreal  
 54 A dozen Siegal belonging to the  
 Heirs of M'Gage  
 55 Fief Gross Boire  
 56 i. fief J'N' Gages property  
 57 Bourchier's W'Chenes property  
 58 fief Cauleau West of Madame  
 du Plessis property  
 59 Mons' Bonjean's property  
 60 Siegal St'Antoine M'fleur  
 61 Siegal of Nevel M'Gesse  
 62 Fief Freneaux  
 63 Siegal of Proulx the property of  
 M'Tourneaus  
 64 Fief St'Maurice the property of M'Gourcier  
 65 Fief St'Miguel the property of M'Vernon  
 66 i. s. son fiefs  
 67 M'Yamoules fief  
 68 26th Margerie of Montreal M'Venerie  
 70 Fief St'Julia M'Gudrois  
 71 M'Castroix fief  
 72 Siegal of Beaurepaire fief St'Lucille  
 73 -resets Siegal  
 74 Fief St'Anns' Courtrymer  
 75 Mons' St'Orme  
 76 V' St'Champain  
 77 Gentilly Siegal M'Delors  
 78 -resets  
 79 St'Elizier Siegal M'delaundre  
 80 Fief Le Bouillon St'Morier  
 81 V'St'Anne, -moulin  
 82 Fief Bardele Mons' Dauphin  
 83 St'Etienne Siegal M'Delors  
 84 Mons' Hamon  
 85 Lorraine Siegal  
 86 M'Chevremont  
 87 Mons' Longueuil  
 88 Ursulines  
 89 Siegal of St'Croix Etainches  
 90 Fief Bonsacq M'Hozel  
 91 M'Allsop  
 92 Fief Duquel  
 93 Siegal of La Garde belle  
 plaine M'Delors  
 94 Fief St'Antoine  
 95 M'Gaspe's fief  
 96 Fief de Beaujolais  
 97 Siegal of Vesoulle M'Richarache  
 98 Heirs of St'Olars  
 99 Siegal of Ponteau General Mortons  
 100 St' Etienne M'Duguet  
 101 Siegal of St' Martin M'Gescheau  
 102 Madame de la Garenne  
 M'Tarveras  
 103 M'Deloy  
 104 M'W'Grant  
 105 M'Colins  
 106 Abun de l'Isle  
 107 D'Allions  
 108 M'Gage's arena  
 109 Jesuit's Siegal or Bellone  
 110 Jesuits  
 111 Siegal of Beaupre  
 112 Fief de Morelles, -sous Wiesne  
 113 Siegal of Beaupre belonging  
 to the Seminary of Quebec  
 114 M'Harrison Siegal  
 115 M. M. - 139 -  
 116 M'Bromes fief  
 117 Fief de l'Estrelle M'Duchesne  
 118 M'Destour  
 119 Siegal of St'Etienne M'Duchesne  
 120 Siegal of St'Etienne M'Duchesne  
 121 M'Bonnes fief  
 122 W'Le Mirus  
 123 Madame Gaumer fief  
 124 Madame Gaumer, -des fief  
 125 M'Kointea Siegal  
 126 M'Belingz J Siegal  
 127 M'Goultards Siegal  
 128 M'Gaspe's Vingt'  
 129 M'Bonne's fief  
 130 Siegal St'Roe M'du Chenay  
 131 St'Annes Siegal M'Brome  
 132 M'Bonnefond Siegal  
 133 Fief St'Denes M'Duchesne  
 134 Siegal of Amherst que  
 Madame St'Thomas  
 135 Siegal of Haste Col Christie  
 136 Siegal St'Et le Loup  
 Captain M' Fraser  
 137 Siegal of L'Isle Verte  
 M'Delate  
 138 M'Rouze Siegal

were unwilling that the seigneurs should get full property in their ungranted demesnes. This was the situation when the Rebellion of 1837-38 roused the alarm of the authorities. The question of abolishing the seigneurial tenure had become one of a number of problems upon which different elements of the colonial population found themselves irreconcilably at issue.

When Lord Durham came to Quebec, in 1838, to investigate the causes of colonial discontent, the workings and future of the seigneurial tenure came in for a due share of his attention. The study which Durham was able to make of the situation was necessarily very general, but his conclusion was unquestionably sound. He recognized that the system had outlived its usefulness, and that its continuance under English administration had been an anomaly. But he stated with due emphasis his belief that, if the more important problem of responsible government were properly solved, the question of abolishing the seigneurial system, and various other subsidiary questions, might be safely left to take care of themselves. If the colony were given an efficient and popular system of self-government, he was prepared to rely on this 'for the removal of every abuse in administration which defective institutions have engendered.' One of Lord Durham's secretaries, Charles Buller, went a step farther and outlined a scheme of commutation, but this, for the time being, was held in abeyance.

The Act of Union, passed in 1840 as a result of Durham's report, again united the two provinces of Upper and Lower Canada, giving them equal representation in a joint legislature. This new legislature, when it met, took up the seigneurial question anew, and induced the governor to appoint a commission to study the matter, and to suggest the necessary legislative steps to abolition. This commission reported in 1843, presenting three different plans, and in 1845 the legislature adopted one of these, in an act which facilitated conversion of tenures whenever the seigneur and his dependants could agree upon terms. That was as far as the legislature would go in 1845, but it was not far enough. Some commutations were effected during the next half-dozen

years, but not very many. The idea that a scheme of commutation in order to be effective must be mandatory accordingly gained strength, and, in 1851, a committee of the legislature was appointed to draft a measure on this basis. A change of ministry delayed matters somewhat, but a measure providing for compulsory conversion of tenures passed the assembly in 1853, only to be rejected by the Legislative Council.

## IX

## THE ABOLITION OF CANADIAN FEUDALISM

THE question of the seigneurial system went to the people at the general election of 1854, and the verdict was unmistakably in favour of abolition. Accordingly, when the new ministry was installed in office, it proceeded to lay before the legislature a comprehensive measure, designed to deal finally with the whole problem. Under the title of 'An Act for the Abolition of Feudal Rights and Duties in Lower Canada' this measure passed both houses and received the governor's assent on December 18, 1854.

The act of 1854 provided that the governor-general should appoint a sufficient number of commissioners, one of whom should visit each seigniory. This commissioner was to draw up, for each seigniory visited by him, a schedule setting forth the rights of the crown therein, the amount of land held by each censitaire, the annual dues payable therefor, and various data relating to banal rights, corvée, and other seigneurial prerogatives. At each parish within the seigniory the commissioner was to give a hearing to all parties concerned; he was given authority to order the production of land-titles, deeds, books of accounts and other documentary material, and to command the assistance of the regular courts, if necessary. When the commissioner completed his schedule it was to be open for public inspection. If challenged by the seigneur or by any twelve of his tenants, it was to be revised by a board of three arbitrators, one selected by the seigneur, one by the tenants, and the third by these two representatives.





## THE SEIGNEURIAL COURT, 1855

*From the drawing by W. W. Smith in the Dominion Archives*

### JUDGES. *Left to Right.*

A. M. Morin,  
Charles Mondelet,  
George Vanfelson,  
Charles D. Day,  
John Francis Duval, Court of Queen's Bench.  
Edward Bowen, C.J., Superior Court.  
Sir Louis H. La Fontaine, C.J., Court of Queen's Bench.  
Thomas Cushing Aylwin, Court of Queen's Bench.  
R. Edward Caron, Court of Queen's Bench.  
James Smith,  
W. C. Meredith,  
Edward Short,  
W. Badgley,

Superior Court.

### CROWN COUNSEL. *[Left].*

E. Reid Angers.  
T. J. J. Loranger.  
Lewis T. Drummond, Attorney-General (*standing*).

### COUNSEL FOR THE SEIGNEURS. *[Left to Right.]*

R. M. Kay,  
Christopher Dunkin,  
C. S. Cherrier.

CLERK OF COURT - J. U. Beaulry (*End of Table*).

MESSENGER OF THE COURT (*Extreme Right*).



Finally, there was to be a board of four commissioners for the whole province who might hear appeals even from the award of arbitrators, but only in special cases.

When these schedules were duly revised and completed they were to be deposited with the appropriate authority at Quebec. Thereupon all land covered by the schedule was to be helden in *franc aleu* or freehold, free and clear from all seigneurial dues and duties. In place of these obligations all lands formerly *en censive* were to be subject to an annual quit-rent payable to the erstwhile seigneur, the amount of this to be fixed on a basis of the deposited schedules, in a manner provided for by the act. All lands formerly held *en seigneurie* were to be deemed thenceforth freehold lands, the seigneur to pay, however, no quit-rent to the crown. What he would ordinarily have so paid was to be applied *pro rata* to the reduction of quit-rents due by his tenants to him. It was further arranged that any small landholder might commute his annual quit-rent by paying a lump sum to the seigneur.

As has been said, the amount of annual rental to be paid by each tenant was to depend, in a general way, upon the nature and amount of the dues and services which the seigneur had been entitled to receive prior to 1854. Here, however, lay a difficulty, for seigneurs claimed all sorts of rights and wanted compensation for them, even though some of the rights had rarely, if ever, been exercised. What rights, then, were valid and therefore entitled to be reckoned in the schedules? This was, of course, not a matter for the legislature to determine, nor could it be handled by the various commissioners. Hence the act wisely provided for the creation of a special Seigneurial Court, to be composed of fifteen High Court judges, and entrusted to this court the decision of all matters relating to the legal validity of seigneurial pretensions. In all about seventy-five questions were submitted to the court and decided by a majority vote of the judges. In a few cases there was unanimity, but on most points one or more judges dissented from the opinion of the majority. Among other things the court ruled that the seigneur had been, since 1711, under obligation to grant lands

*en censive* at customary rates, and hence had lost all absolute rights in his lands ; that habitants were bound to pay the *cens et rentes* stipulated in their deeds, even where these had been fixed above the rate customary in the seigniory ; that the *lods et ventes*, the mill banality and the corvée were all valid claims ; but that many other minor seigneurial claims had no legal warrant. The conclusions of the court were reached after long and careful study, and the opinions which accompanied the decisions are models of legal research.

It should be understood that, in abolishing the old tenure, the act of 1854 did not sweep away the old French law relating to the alienation, bequest or inheritance of land in Lower Canada. This remained as before, but ten years later it was all revised and somewhat amplified in the new civil code.

The arrangements of 1854 were popular with the masses, but by many of the seigneurs the whole enactment was regarded as a scheme of legislative confiscation. It is probably true, as they claimed, that most seigniories, considered as real-estate investments, were worth less after 1854 than prior to that year. It was expected, moreover, that the habitants would take advantage of the provision which allowed them to compound their annual quit-rents by the payment of a stated sum. Very few did this, however, and to the present day most of the old *en censive* holdings remain subject to the yearly *rente constitutée*, which the habitant pays each November, even as his forefathers paid it under the old régime. Although a half-century has passed since the law abolished the whole fabric of seigneurialism, yet he who receives the annual quit-rent is still commonly called 'the seigneur' and receives from the habitants much of the old-time deference.

French historians have often thought it necessary to apologize for the action of the Bourbon authorities in planting feudalism on the St Lawrence. This action needs no apology. It was natural and logical ; even its wisdom is defensible. So long as the environment of the New World remained suitable to it, and so long as sympathetic hands moulded its development, the seigneurial system helped the colony to keep its feet. If there be anything calling for apology, it

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is the ill-advised sentimentalism which led the British authorities to retain the seigneurial system without providing that machinery which was essential to its proper working. To handle the question without injustice to any interest was much more difficult in 1854 than it would have been in 1760. Nevertheless it was handled with unusual tact and skill.

*H. B. Murray.*

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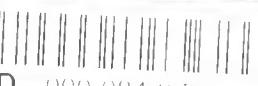
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